

File #:

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FOIPA# N/A

62-HQ-116395

Serial Scope:

20 THRU 752X

NOTE: 20 - TS - SFR

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR009 NK CODED

MAY 02 1975

REC-100

5:45 PM IMMEDIATE TELETYPE

TO DIRECTOR

FROM NEWARK (66-3963)

ATTN INTD, MR. W. CREGAR

Sensitivity 711

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Svst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
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Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director's Sec'y	

ADMINISTRATIVE INQUIRY; 1964 DEMOCRATIC
PARTY NOMINATION CONVENTION, ATLANTIC CITY,
NEW JERSEY - JUNE.

RE TELEPHONE CALL ASAC CLOUGH TO INSPECTOR HELGESEN,
FBI HQ, MAY 2, 1975.

FORMER SA DANIEL BRENNAN, NOW RESIDING SEA GIRT, NJ,
TELEPHONICALLY INFORMED ASAC CLOUGH HE WAS CONTACTED BY
MICHAEL P. EPSTEIN OF US SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES, AND APPOINTMENT MADE FOR INTERVIEW
OF HIM MAY 2, 1975. ASAC CLOUGH SUGGESTED MR. BRENNAN
MAY DESIRE TO HAVE PRIVATE COUNSEL PRESENT DURING INTERVIEW
AND SUGGESTED SA GEORGE EDWIN JONES ALSO BE PRESENT TO
PROTECT BUREAU'S INTEREST AND CONFINE EPSTEIN'S QUESTIONS

TO SCOPE OF INQUIRY PREVIOUSLY DECIDED FOR THAT COMMITTEE MAY 14 1975

3 [Signature]

[Signature]

UNRECORDED COPY FILED IN

#m0216
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DATE 11/29/00 BY SP2ALM/716

COPY RETAINED IN
PERSONNEL RECORDS UNIT

Records
100-106670 (King)

6 MAY 19 1975

67-428625 (Pres. file from SA
Daniel Brennan)

5- (C) (alt)
PERS. FILE UNIT

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DATE 11/29/80 BY SP2 ALM/LS

Intelligence Division

INFORMATIVE NOTE

Date 5/5/75

Attached teletype reports interview of former SA Daniel J. Brennan, Jr., by Michael Epstein, Staff Member, Senate Select Committee on Intelligence Activities (SSC) concerning communications Brennan may have seen in 1964 to Legats, London and Rome, in the Martin Luther King investigation. (Brennan was Chief of our Liaison Section in 1964). Brennan had no recollection of same but furnished on request names of Legats he believed were then in London and Rome (Charles Bates and Armand A. Gammarota respectively; both still in Bureau). Teletype also reports contact between Epstein and Newark SA George Edwin Jones who was present at Brennan's home at Brennan's request, when Epstein arrived.

ACTION:

As we did with the information concerning Epstein's interview of former SA Lish Whitson, we will furnish AG a letterhead memorandum with details, including a copy for the White House in event AG desires to inform White House. We will also submit an abstract on the Brennan interview to the Central Community Index relating to Senstudy 75. We are searching our files for any Bureau communication to London and Rome in the King case to have available if needed.

1 - Mr. J. A. Mintz

SFP:lfj

DOJ/FBI

PAGE TWO

NK 66-3963

SA JONES WAS PRESENT AT RESIDENCE OF MR. BRENNAN, 501 BROOKLYN BLVD., SEA GIRT, NJ, UPON ARRIVAL OF EPSTEIN. WHEN SA JONES WAS INTRODUCED TO EPSTEIN AS AN AGENT OF THE FBI, EPSTEIN IMMEDIATELY REQUESTED THAT HE BE GIVEN USE OF A TELEPHONE. UPON RETURNING FROM THE TELEPHONE, EPSTEIN ASKED WHY SA JONES WAS PRESENT. EPSTEIN WAS ADVISED THAT THE AGENT WAS SENT ON THE INSTRUCTIONS OF HIS SUPERIORS WHEN IT WAS LEARNED THAT MR. EPSTEIN HAD REQUESTED AN INTERVIEW WITH MR. BRENNAN. SA JONES STATED THAT HIS PURPOSE IN BEING THERE WAS TO PROTECT THE INTERESTS OF THE FBI IN ANY POSSIBLE DISCUSSION IN THE AREA OF SENSITIVE INVESTIGATIONS AND PROCEDURES AS FAR AS SOURCES AND METHODS WERE CONCERNED. EPSTEIN STATED THAT THE INTERVIEW POSITIVELY WOULD NOT GET INTO THIS AREA OF DISCUSSION, AND THAT HE WOULD PREFER TO INTERVIEW MR. BRENNAN ALONE. AT THIS POINT, MR. BRENNAN STATED THAT IF THAT WERE THE CASE, HE WOULD HAVE NO OBJECTION TO SPEAKING WITH MR. EPSTEIN ALONE, BUT SUGGESTED THAT SA JONES STAND BY IN THE HOUSE IN THE EVENT THAT THE INTERVIEW APPROACHED A CRITICAL AREA.

PAGE THREE NK 66-3963

SA JONES STATED HE WOULD BE GLAD TO DO THIS BUT WANTED THE POINT MADE CLEAR THAT IN NO WAY SHOULD HIS PRESENCE BE CONSIDERED AN IMPEDIMENT TO THE DESIRED INTERVIEW, AND THAT SA JONES IN NO WAY WANTED TO PREVENT ACCESS TO INFORMATION TO WHICH MR. EPSTEIN WAS ENTITLED.

THE DISCUSSION BETWEEN MR. BRENNAN AND MR. EPSTEIN LASTED FROM 2:10 PM TO 3:10 PM AT WHICH TIME SA JONES ACCOMPANIED MR. BRENNAN IN WALKING MR. EPSTEIN TO HIS RENTAL CAR.

UPON THE DEPARTURE OF MR. EPSTEIN, MR. BRENNAN ADVISED THAT THE MAIN THRUST OF THE INTERVIEW WAS CONCERNED WITH THAT PERIOD OF TIME WHEN MR. BRENNAN WAS IN CHARGE OF THE LIAISON DESK AT FBI HQ, AND SPECIFICALLY, MR. BRENNAN'S KNOWLEDGE OF COMMUNICATION IN THE YEAR 1964, WHICH BUREAU HQ SENT TO LEGAL ATTACHES IN LONDON, ENGLAND AND ROME, ITALY, CONCERNING THE MARTIN LUTHER KING INVESTIGATION. ACCORDING TO MR. BRENNAN, HE STATED HE HAD NO CURRENT RECOLLECTION OF ANY SPECIFIC COMMUNICATIONS CONCERNING THIS MATTER. HE EXPLAINED TO MR. EPSTEIN THAT SUBSTANTIVE MATTERS WENT OUT

FROM SUBSTANTIVE DESKS AT THE BUREAU, AND THESE COMMUNICATIONS DID NOT HAVE TO HAVE HIS APPROVAL. ALTHOUGH HE MAY HAVE READ COMMUNICATIONS REGARDING SOME SUBSTANTIVE MATTERS, HE HAD NO PRESENT RECOLLECTIONS CONCERNING THE MATTER WHICH WAS THE SUBJECT OF MR. EPSTEIN'S INQUIRY.

MR. BRENNAN ALSO ADVISED THAT MANY TELEPHONIC COMMUNICATIONS WERE MADE TO LEGATS AT ROME AND LONDON, AND HE WOULD NOT HAVE KNOWLEDGE OF THESE COMMUNICATIONS. MR. EPSTEIN DESIRED TO KNOW THE NAMES OF THE LEGATS IN LONDON AND ROME IN 1964. MR. BRENNAN ADVISED THAT TO THE BEST OF HIS RECOLLECTION, CHARLES BATES WAS LEGAT AT LONDON, AND ART CAMERATA WAS LEGAT AT ROME DURING THIS PERIOD OF TIME.

BEFORE THE INTERVIEW WAS TERMINATED, EPSTEIN ASKED MR. BRENNAN IF HE ASKED THE FBI TO BE PRESENT AT THE INTERVIEW. MR. BRENNAN REPORTEDLY TOLD MR. EPSTEIN THAT HE HAD CALLED THE NEWARK FBI OFFICE AND TOLD THEM OF THE REQUESTED INTERVIEW. WHEN THE FBI OFFERED THEIR ASSISTANCE, HE WAS PLEASED BECAUSE HE DID NOT KNOW THE SUBJECT MATTER OF THE INTERVIEW AND WHETHER OR NOT MATTERS WHICH HE WOULD HAVE TO DISCUSS WERE

PAGE FIVE NK 66-3963

MATTERS SUBJECT OF CURRENT FBI INVESTIGATION, IN WHICH CASE
HE WOULD POSSIBLY BE VIOLATING DEPARTMENTAL REGULATIONS.

MR. BRENNAN STATED HE WOULD PROMPTLY ADVISE IF HE WAS
CONTACTED BY MR. EPSTEIN ON A SUBSEQUENT DATE.

END.

MAH FBIHQ QCK FOR ONE

WA CLR

UNITED STATES GOVERNMENT

Memorandum

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Dep. AD Inv. _____
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Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 3/27/75

FROM : Legal Counsel

SUBJECT:

SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES;
RODERICK HILLS, ASSOCIATE
COUNSEL TO THE PRESIDENT

JUNE

[Handwritten signature]

*[Handwritten: F. A. B. T. C. 11
HOTIS JBA]*

On March 27, 1975, Mr. Roderick Hills, Associate Counsel to the President, came to my office and advised that he is preparing to discuss with Bill Miller, Staff Director of the Senate Committee, several questions concerning the procedures that will be followed by the Senate Select Committee in asking for testimony and documents from the Executive Branch. He said the Committee plans to publish rules concerning their procedures today or tomorrow and therefore his discussions must be conducted with them promptly.

Mr. Hills said that it is proposed that the Executive Branch agencies provide counsel to represent them before the Senate Committee when Government employees or former employees are called to testify. He said that CIA has agreed to start that procedure and he inquired if the FBI would agree to have counsel present during interviews or testimony of witnesses from the FBI. He said the White House is concerned that if the suggestion is made by a representative of the White House it could appear that the White House is attempting to interfere with the Committee proceedings by intimidating witnesses and having a repeat experience similar to that which occurred when former Counsel to the President John Dean insisted upon sitting in with employees during interviews with the FBI.

I told Mr. Hills that I saw an important difference between the efforts made by the former Counsel to the President and the effort that would be made by counsel appearing before the Senate Committee. The distinction is that in the former case the effort was intended to intimidate witnesses in order to conceal criminal activity and in the present

- 1 - Mr. Wannall
- 1 - Mr. Cregar
- 1 - Mr. Hotis

Mr. Mintz

JAM:mfd (6)

SEE ADDENDUM, PAGES 6 & 7

SECRET

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

11/29/00 *[Handwritten: more 16]*
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DECLASSIFY ON: 25XJ

SECRET

Memorandum to Mr. Adams
Re: Senate Select Committee, etc.

case the effort would be made to protect legitimate, but sensitive operations which are currently in being. I suggested to Mr. Hills that the Executive has the right to negotiate with the Senate Committee an arrangement whereby a representative of the executive agency would be present not to stifle testimony, but to suggest that testimony be given in Executive Session or be limited only to the Senators themselves in order to protect information of such sensitive nature as to require special treatment. I told Mr. Hills that it may well be that the representative of the agency appearing with a witness should be an individual with specific expertise in the subject matter involved in the testimony rather than a legal counsel. Mr. Hills agreed that such expertise would be essential. Therefore, I advised him that we would support efforts to have counsel present during the interview or testimony of FBI employees or former employees.

Mr. Hills' second point was executive privilege. He said that he has researched the available references to executive privilege at the White House and found that all relate to material prepared as defensive measures and there is little in the way of positive statements of principles of law concerning executive privilege. It is the feeling of the President's Counsel, Mr. Buchen, that the White House must develop a statement of principles to be applied by the President when it becomes necessary to claim executive privilege in the face of a demand for testimony or documents by the Senate Committee which the President decides should not be complied with. Mr. Hills said that the President's counsel believes that it would be an improper course for the President to wait until a crisis arises before this matter is reviewed. I told Mr. Hills that I thought it would be more destructive to the presidency if the President were to claim executive privilege over a matter which could not be justified under law. Mr. Hills said that was the exact concern of Mr. Buchen and that they wanted to avoid at all cost having the President claim executive privilege over matters that would merely embarrass an agency and did not go to the heart of the agency's responsibilities or to the independence of the presidency itself.

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Memorandum to Mr. Adams
Re: Senate Select Committee, etc.

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Mr. Hills said that he has been discussing with the publisher of the "Washington Post," the publisher of the "New York Times," Daniel Schorr, and others in the news media the question of why the press has been so critical of the claims of executive privilege within the recent past, and it became clear as a result of his discussion that their concern is that the claim has been misused. He said his efforts were to convince the members of the press that a responsible claim of executive privilege should be recognized by the press and given reasonable support.

Mr. Hills said that in an effort to develop some general principles by which the President could clearly indicate that any claim of executive privilege that might become necessary is reasonable, they will^{b/e} be arranging for conferences with the Attorney General, responsible law professors who are experts in the area of executive privilege, and others who might be able to help Mr. Buchen prepare a paper for the President stating the general guidelines under which the President will claim executive privilege. In order to understand the areas of concern to the various agencies that might result in a request for the President to claim executive privilege, Mr. Hills said that the President's counsel has requested that the agencies furnish them a summary of such critical areas. He said that he had been advised by Larry Silberman that he should approach the Bureau carefully because it would be most difficult to obtain such information from the FBI. Mr. Hills said that he did not fully understand the relationship of the Director with the Attorney General and the Deputy Attorney General but that he wanted to request that the Bureau consider briefing the President's Counsel.

I told Mr. Hills that the Bureau had no difficulty with the Attorney General or the Deputy Attorney General when it was necessary to brief them concerning sensitive matters but that we operated as much as possible on the "need-to-know" principle and that should we receive requests from any source outside the FBI we would be reluctant to furnish sensitive information unless there were in fact reasons for the inquirer to have a need to know. I told him that in regard to the request from the President's Counsel, I was confident that the Bureau would be willing to provide representatives and a briefing on sensitive matters that could become subject to a claim of executive privilege

SECRET

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Memorandum to Mr. Adams
Re: Senate Select Committee, etc.

because there would be an important need to know on the part of the President's Counsel in developing his guidelines for the President to use in considering requests for executive privilege.

I asked Mr. Hills how urgent his request was and he replied that on Tuesday, April 1, 1975, he is scheduled to have a formal conference with Bill Miller and Frederick Schwartz, Counsel for the Senate Select Committee, and he expects that meeting to concern the problem of Executive privilege. Therefore, they would like to have the briefing as soon as possible in order for the study concerning executive privilege to be under way on the weekend of March 29-30, 1975. I told Mr. Hills that we would recontact him as soon as possible to advise as to the arrangements that could be made for such a briefing.

I advised Mr. Adams of the request from the White House Counsel and he agreed that the Bureau should arrange to provide a briefing to the White House Counsel. I called Mr. Wannall and advised him of the request and of Mr. Adams' suggestion that he and Mr. Wannall represent the Bureau in the briefing and that the briefing could be held on Friday, March 28, 1975. Mr. Wannall was requested to prepare a summary memorandum for use by himself and Mr. Adams describing the areas of concern which the Bureau might anticipate would require a request of the President to exercise a claim of executive privilege. Mr. Wannall agreed to do so at once.

RECOMMENDATIONS:

1. That depending upon the circumstances and on a case-by-case basis the Bureau designate a representative to appear with any FBI employee or former employee called for interview or testimony by the Senate Select Committee.

dy
- 4 -

CONTINUED - OVER

SECRET

Memorandum to Mr. Adams
Re: Senate Select Committee, etc.

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RECOMMENDATIONS (CONT'D)

2. That Deputy Associate Director Adams and Assistant Director Wannall brief the White House Counsel on March 28, 1975.

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OK

gma

pen

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- 5 -

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ADDENDUM: J. B. ADAMS

3/31/75

JBA:ams

On 3/28/75 Mr. Wannall and I met with Mr. Buchen and Mr. Hills at the White House. The purpose of the meeting was to review the role of The White House in coordinating the responses of the various intelligence agencies to the Senate Committee to insure that there was uniformity in complying with Committee requests in that any restrictions on the furnishing of information were uniform.

It was determined that there is a unanimity of opinion that access to raw files would not be granted Committee members or staff as a matter of practice, although it is not inconceivable that some particular horrendous event might arise which is of such significance that access to the files on that matter might be granted to the Committee Chairman or a select number of Senators.

We discussed items which we felt were particularly sensitive such as identities of informants, sources and cooperative citizens as well as information received from foreign sources. The sensitivity of specific details on confidential expenditures was pointed out although we had no objection to discussing or making available the gross figures.

(S) We discussed the various means of electronic exploitation in the foreign intelligence field including the [Orkid program] and similar programs, electronic wiretaps, microphones, [Telex, and electronic penetration of communications equipment.] We pointed out that there were varying degrees of sensitivity involved and each type of surveillance would have to be individually considered as to the degree of disclosure which could be made to the Committee. (S)

(S) We briefly discussed activities which had previously taken place yet which might be subject of current interest because of newspaper publicity and allegations. We were reminded on more than one occasion that it was absolutely imperative that the White House not be surprised without being forewarned of any earthshaking incidents which might come to light. In this context, we mentioned the [Anagram program] the various mail and pouch intercepts, the Karot and related cases, surreptitious entries in connection with CP, Klan and such investigations. (S)

Cointelpro was mentioned as well as the

JFK Act 6 (1) (C)

(S) [] Mr. Buchen inquired about exploitation of unavailable Government records and we mentioned Bureau Source 4, Social Security records, as an example.

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Mr. Hills again asked if there were any other items which we felt should be brought up which might be sensitive because of the embarrassing nature of them and we pointed out that we felt we had covered the more significant items although there were of course various allegations from time to time which have been addressed, such as the Anna Chanault surveillance and other allegations raised by former Assistant to the Director Sullivan. He suggested that if after reflection we think of any other matters which should be mentioned to have no hesitancy in bringing it to their attention.

Finally, we discussed the first request from Senator Church dated March 19, 1975, for information on legal authority, jurisdictional agreements, organization, policies and procedures, and studies and reports. We were pretty much in agreement on how to handle that request and Mr. Wannall will submit a separate memorandum in that regard.

ACTION:

For information only.

gm

Wannall

K

SECRET

The Attorney General

Director, FBI

JUNE

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
May 8, 1975

1 - Mr. H. N. Bassett
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan 1-Liaison
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

Enclosed for your information are the originals of two memoranda concerning interviews by a Staff Member of captioned Committee of retired FBI Special Agents John P. Devlin and Daniel J. Brennan, Jr. Copies of these memoranda are also enclosed for your use in the event you desire to furnish them to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures - 4

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/2/80 BY SP-16SK/DB/WZ

- 1 - 100-106670 (Martin Luther King, Jr.)
1 - 67-220521 (Personnel File Former SA John P. Devlin)
1 - 67-428628 (Personnel File Former SA Daniel J. Brennan, Jr.)

SFP:ekw (14)

REC-100

62-116395-126
16 MAY 14 1975

NOTE: The furnishing of these LHMs to the AG with copies for possible forwarding to Wilderotter is the same procedure we followed on an interview by Epstein of former SA Lish Whitson. The AG has since furnished the Whitson LHM to Wilderotter.

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Director Sec'y _____

6 MAY 19 1975

MAIL ROOM ☒

TELETYPE UNIT ☐

ROUTE IN ENVELOPE

GPO 971-546

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. H. N. Bassett
1 - Mr. W. R. Wannall

62-116395

May 8, 1975

1 - Liaison

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. J.G. Deegan
1 - Mr. W.O. Cregar

RE: INTERVIEW OF RETIRED FBI
SPECIAL AGENT (SA) BY SSC
STAFF MEMBER

1 - Mr. S.F. Phillips

JUNE

Set out below is the verbatim text of a memorandum dated April 30, 1975, which was prepared by retired FBI SA John P. Devlin and which Devlin voluntarily furnished to the FBI. Devlin served as an SA from August 17, 1942, until his retirement September 27, 1974.

"On Friday, April 25, 1975, I met with a Michael T. Epstein of the U. S. Senate Select Committee on Intelligence Activities, who was seeking information regarding my part in a technical surveillance in Atlantic City, NJ, in the Summer of 1964, during the Democratic Party Nominating Convention on the rooms occupied by the late Martin Luther King at the Claridge Hotel. He stated his Committee has a broad mandate to look into the intelligence investigation activities of the FBI.

"In his questions, he covered the following points:

"Who told me to go to Atlantic City?

"Where did they get their instructions?

"What was I told to do when I got to Atlantic City?

"Was I told why I was going there, i.e., the purpose or aim of this particular investigation?

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Dep. AD Inv. _____
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1 - 100-106670 (Martin Luther King, Jr.)
1 - 67-220521 (Personnel File Former SA John P. Devlin)
SFP:ekw ekw
(13)

ENCLOSURE

SEE NOTE PAGE FOUR

MAIL ROOM ☐

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ROUTE IN ENVELOPE

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

RE: INTERVIEW OF RETIRED FBI SA

"Who gave further instructions in Atlantic City?

"Who did I report to in Atlantic City?

"What did I do there?

"What did I do with any information obtained from my efforts?

"Who did I remember as being in contact with King?

"Who did I remember being in King's hotel suite?

"What did I hear about any plans for a Vice-Presidential nominee?

"Did I ever meet or talk to Gartha DeLoach?

"Did I ever dictate any memoranda regarding this surveillance to a stenographer in Atlantic City?

"Did I know of any other technical surveillances in Atlantic City at that time?

"My recollection of details of this assignment, without benefit of any memoranda or files to review, is necessarily sketchy, and I told this to Mr. Epstein. As I recalled the broad overall situation, I told him that I worked with John J. Connolly, Jr., on our particular assignment, and we probably received our instructions from SAC Bachman through our Supervisor William Gagnon. I had to assure that Mr. Bachman received these instructions from somebody at Bureau Headquarters.

"Our purpose in going to Atlantic City was to obtain whatever information we could about planned disruptive tactics or demonstrations that would threaten the safety of President Johnson or the security of the Convention.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

RE: INTERVIEW OF RETIRED FBI SA

"Since I was the sound man for the Newark Office, my efforts in this regard were concentrated on a technical surveillance as opposed to any physical surveillance or other investigative activity conducted by other Agents from the Newark Office in Atlantic City at that time.

"Martin Luther King was selected as the target of our surveillance. By whom, I do not recall. He was the leader of the group opposing President Johnson, so I suppose he was a likely target.

"Mr. Epstein was interested in my opinion as to the legitimacy of our investigation as a security measure. I was unable to impugn any other motives to this investigation other than as set out above.

"I do not recall details of our handling of the information received over the technical surveillance. SA Billie D. Williams was liaison with Cartha DeLoach and arranged or handled any contacts regarding the information or instructions we received. Again, I was unable to identify any contacts or associates of King without reference to whatever notes we may have kept on the surveillance. In response to specific questions as to whether or not Hubert H. Humphrey and Robert Kennedy were in touch with or visited King in his suite, I had to tell Mr. Epstein that they may have been, but I could not state positively one way or the other as there were may politicians of the day in contact with him.

"I recalled, in answer to his question, that King's wife, Coretta, was in touch with him regarding her plans to travel to the Convention and also that he was in contact with a noted entertainer, Mahalia Jackson, who was appearing at some club in Atlantic City at that time, and who was apparently an old friend of King's.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

RE: INTERVIEW OF RETIRED FBI SA

"As to the question of what information was transmitted to DeLoach, I suppose we sent everything that would indicate any action on the floor of the Convention. I am vague on the details of how we handled the transcription and reporting of information we received. We may have written longhand summaries or dictated via telephone to a stenographer.

"I was aware of another installation, either attempted or operated at a store front operation of some organization that threatened disruption of the Convention, but I had no details concerning it.

"Mr. Epstein was unable to advise me as to whether or not I would be contacted again regarding this matter."

NOTE: Original and one copy to the Attorney General (AG) (AG may forward the copy to James A. Wilderotter, Associate Counsel to the President). Information herein taken from Newark teletype 4/30/75 "Administrative Inquiry; 1964 Democratic Party Nominating Convention, Atlantic City, NJ." The furnishing of this LHM to the AG with a copy for possible forwarding to Wilderotter is the same procedure we followed on an interview by Epstein of former SA Lish Whitson. The AG has since furnished the Whitson LHM to Wilderotter.

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Liaison
1 - Mr. J. G. Deegan

62-116395

May 8, 1975

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

RE: INTERVIEW OF RETIRED FBI
SPECIAL AGENT (SA) BY SSC
STAFF MEMBER

Set out below is information available to the FBI concerning an interview conducted May 2, 1975, by Mr. Michael Epstein, Staff Member of the SSC, with retired FBI SA Daniel J. Brennan, Jr., at the latter's residence in Sea Girt, New Jersey. Brennan served as an SA from January 19, 1948, until his retirement on January 22, 1973. During the period January 4, 1962, to July 27, 1970, he was Chief of the Liaison Section in the Domestic Intelligence Division (now Intelligence Division).

By prior appointment requested by Epstein, Brennan was interviewed for approximately one hour. The results, as volunteered by Brennan, are as follows.

The main thrust of the interview was concerned with that period of time when Brennan was in charge of the Liaison Section at FBI Headquarters and specifically, Brennan's knowledge of communications in 1964 which Bureau Headquarters sent to Legal Attaches in London, England, and Rome, Italy, concerning the Martin Luther King, Jr., investigation. Brennan told Epstein he had no current recollection of any specific communications concerning this matter. Brennan explained that

substantive matters went out from substantive desks at FBI Headquarters and these communications did not require Brennan's approval. Brennan noted that he may have read communications regarding some substantive matters but had no present recollections concerning the matter which was the subject of Epstein's inquiry.

1 - 100-106670 (Martin Luther King, Jr.)
1 - 67-428628 (Personnel File Former SA Daniel J. Brennan, Jr.)

SFP:ekw (12)

62-116395-126 SEE NOTE PAGE TWO

ENCLOSURE

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 574-546

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DATE 6/2/88 BY SP/6SK/DG/MLK

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

RE: INTERVIEW OF RETIRED FBI SA

Brennan also told Epstein that he would not have knowledge of any telephonic communications to the indicated Legal Attaches in the King case. Epstein inquired as to the names of the Legal Attaches in London and Rome in 1964 and it was Brennan's best recollection that those individuals were then Charles Bates at London and Armand Cammarota at Rome. (These two individuals are still in the service of the FBI).

NOTE: Original and one copy to the AG (AG may forward the copy to James A. Wilderotter, Associate Counsel to the President). Information herein taken from Newark teletype 5/2/75 "Administrative Inquiry, 1964 Democratic Party Nomination Convention, Atlantic City, New Jersey." The furnishing of this LHM to the AG with a copy for possible forwarding to Wilderotter is the same procedure we followed on an interview by Epstein of former SA Lish Whitson. The AG has since furnished the Whitson LHM to Wilderotter. The 5/2/75 teletype, which was sent up with an informative note for review by Bureau officials, also contained information concerning the presence at Brennan's residence during the interview, of SA George E. Jones of the Newark Office who was there at Brennan's request to insure protection of Bureau's interests should any sensitive matters be discussed. The teletype also reported on Epstein's inquiries of Brennan concerning the presence of SA Jones. This information, not pertinent to the main purpose of the interview, which was to obtain information concerning the King case, is being purposely excluded from the LHM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 30 1975

TELETYPE

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2 ALM/146

Dep. A.D. Adm.	
Dep. A.D. Inv.	
Asst. Dir.:	
Admin.	
Crim. Inv.	
Ext. Affs.	
Files & Com.	
Gen. Inv.	
Ident.	
Insp.	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Off. Cong. & Public Affs.	
Tele. Rm.	
Director's Sec'y	

NR 005 NK CODE

11:50AM IMMEDIATE APRIL 30, 1975 JCG

TO DIRECTOR

FROM NEWARK (66-3963)

ATTN: INSPECTOR A. J. CONLEY, INSPECTION DIVISION
ADMINISTRATIVE INQUIRY; 1964 DEMOCRATIC PARTY NOMINATING
CONVENTION, ATLANTIC CITY, NJ - JUNE

FOLLOWING IS VERBATUM TEXT OF MEMO FROM FORMER SA JOHN P.
DEVLIN DATED APRIL 30, 1975:

ON FRIDAY, APRIL 25, 1975, I MET WITH A MICHAEL T.
EPSTEIN OF THE US SENATE SELECT COMMITTEE ON INTELLIGENCE
ACTIVITIES, WHO WAS SEEKING INFORMATION REGARDING MY PART IN
A TECHNICAL SURVEILLANCE IN ATLANTIC CITY, NJ, IN THE SUMMER
OF 1964, DURING THE DEMOCRATIC PARTY NOMINATING CONVENTION ON
THE ROOMS OCCUPIED BY THE LATE MARTIN LUTHER KING AT THE
CLARIDGE HOTEL. HE STATED HIS COMMITTEE HAS A BROAD MANDATE
TO LOOK INTO THE INTELLIGENCE INVESTGATION ACTIVITIES OF THE
FBI.

IN HIS QUESTIONS, HE COVERED THE FOLLOWING POINTS:

WHO TOLD ME TO GO TO ATLANTIC CITY?

WHERE DID THEY GET THEIR INSTRUCTIONS?

62-116395-
NOT RECORDED
46 MAY 27 1975

ENCLOSURE
ENCLOSURE
6 MAY 28 1975

INITIALS ON ORIGINAL
62-116395-21 (2nd in)

19
ORIGINAL FILED IN 62-116395-21

PAGE TWO NK 66-3963

WHAT WAS I TOLD TO DO WHEN I GOT TO ATLANTIC CITY?

WAS I TOLD WHY I WAS GOING THERE, I.E., THE PURPOSE
OR AIM OF THIS PARTICULAR INVESTIGATION?

WHO GAVE FURTHER INSTRUCTIONS IN ATLANTIC CITY?

WHO DID I REPORT TO IN ATLANTIC CITY?

WHAT DID I DO THERE?

WHAT DID I DO WITH ANY INFORMATION OBTAINED FROM MY
EFFORTS?

WHO DID I REMEMBER AS BEING IN CONTACT WITH KING?

WHO DID I REMEMBER BEING IN KING'S HOTEL SUITE?

WHAT DID I HEAR ABOUT ANY PLANS FOR A VICE-PRESIDENTIAL
NOMINEE?

DID I EVER MEET OR TALK TO CARTHA DE LOACH?

DID I EVER DICTATE ANY MEMORANDA REGARDING THIS
SURVEILLANCE TO A STENOGRAPHER IN ATLANTIC CITY?

DID I KNOW OF ANY OTHER TECHNICAL SURVEILLANCES IN
ATLANTIC CITY AT THAT TIME?

MY RECOLLECTION OF DETAILS OF THIS ASSIGNMENT, WITHOUT
BENEFIT OF ANY MEMORANDA OR FILES TO REVIEW, IS NECESSARILY

PAGE THREE NK 66-3963

SKETCHY, AND I TOLD THIS TO MR. EPSTEIN. AS I RECALLED THE BROAD OVERALL SITUATION, I TOLD HIM THAT I WORKED WITH JOHN J. CONNOLLY, JR., ON OUR PARTICULAR ASSIGNMENT, AND WE PROBABLY RECEIVED OUR INSTRUCTIONS FROM SAC BACHMAN THROUGH OUR SUPERVISOR WILLIAM GAGNON. I HAD TO ASSUME THAT MR. BACHMAN RECEIVED THESE INSTRUCTIONS FROM SOMEBODY AT BUREAU HEADQUARTERS.

OUR PURPOSE IN GOING TO ATLANTIC CITY WAS TO OBTAIN WHATEVER INFORMATION WE COULD ABOUT PLANNED DISRUPTIVE TACTICS OR DEMONSTRATIONS THAT WOULD THREATEN THE SAFETY OF PRESIDENT JOHNSON OR THE SECURITY OF THE CONVENTION.

SINCE I WAS THE SOUND MAN FOR THE NEWARK OFFICE, MY EFFORTS IN THIS REGARD WERE CONCENTRATED ON A TECHNICAL SURVEILLANCE AS OPPOSED TO ANY PHYSICAL SURVEILLANCE OR OTHER INVESTIGATIVE ACTIVITY CONDUCTED BY OTHER AGENTS FROM THE NEWARK OFFICE IN ATLANTIC CITY AT THAT TIME.

MARTIN LUTHER KING WAS SELECTED AS THE TARGET OF OUR SURVEILLANCE. BY WHOM, I DO NOT RECALL. HE WAS THE LEADER OF THE GROUP OPPOSING PRESIDENT JOHNSON, SO I SUPPOSE HE WAS A LIKELY TARGET.

PAGE FOUR NK 66-3963

MR. EPSTEIN WAS INTERESTED IN MY OPINION AS TO THE LEGITIMACY OF OUR INVESTIGATION AS A SECURITY MEASURE. I WAS UNABLE TO IMPUGN ANY OTHER MOTIVES TO THIS INVESTIGATION OTHER THAN AS SET OUT ABOVE.

I DO NOT RECALL DETAILS OF OUR HANDLING OF THE INFORMATION RECEIVED OVER THE TECHNICAL SURVEILLANCE. SA BILLIE D. WILLIAMS WAS LIAISON WITH CARTHA DE LOACH AND ARRANGED OR HANDLED ANY CONTACTS REGARDING THE INFORMATION OR INSTRUCTIONS WE RECEIVED. AGAIN, I WAS UNABLE TO IDENTIFY ANY CONTACTS OR ASSOCIATES OF KING WITHOUT REFERENCE TO WHATEVER NOTES WE MAY HAVE KEPT ON THE SURVEILLANCE. IN RESPONSE TO SPECIFIC QUESTIONS AS TO WHETHER OR NOT HUBERT H. HUMPHREY AND ROBERT KENNEDY WERE IN TOUCH WITH OR VISITED KING IN HIS SUITE, I HAD TO TELL MR. EPSTEIN THAT THEY MAY HAVE BEEN, BUT I COULD NOT STATE POSITIVELY ONE WAY OR THE OTHER AS THERE WERE MAY POLITICIANS OF THE DAY IN CONTACT WITH HIM.

I RECALLED, IN ANSWER TO HIS QUESTIONS, THAT KING'S WIFE, CORETTA, WAS IN TOUCH WITH HIM REGARDING HER PLANS TO TRAVEL TO THE CONVENTION AND ALSO THAT HE WAS IN CONTACT WITH A NOTED

PAGE FIVE NK 66-3963

ENTERTAINER, MEHALIA JACKSON, WHO WAS APPEARING AT SOME CLUB IN ATLANTIC CITY AT THAT TIME, AND WHO WAS APPARENTLY AN OLD FRIEND OF KING'S.

AS TO THE QUESTION OF WHAT INFORMATION WAS TRANSMITTED TO DE LOACH, I SUPPOSE WE SENT EVERYTHING THAT WOULD INDICATE ANY ACTION ON THE FLOOR OF THE CONVENTION. I AM VAGUE ON THE DETAILS OF HOW WE HANDLED THE TRANSCRIPTION AND REPORTING OF INFORMATION WE RECEIVED. WE MAY HAVE WRITTEN LONGHAND SUMMARIES OR DICTATED VIA TELEPHONE TO A STENOGRAPHER.

I WAS AWARE OF ANOTHER INSTALLATION, EITHER ATTEMPTED OR OPERATED AT A STORE FRONT OPERATION OF SOME ORGANIZATION THAT THREATENED DISRUPTION OF THE CONVENTION, BUT I HAD NO DETAILS CONCERNING IT.

MR. EPSTEIN WAS UNABLE TO ADVISE ME AS TO WHETHER OR NOT I WOULD BE CONTACTED AGAIN REGARDING THIS MATTER.

END

JRM FBIHQ

CLR

Intelligence Division

#m0816
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/29/00 BY SP2 AEM/716

INFORMATIVE NOTE

Date 4/30/75

The attached teletype from the Newark Office reports the verbatim text of a memorandum prepared by former Special Agent John P. Devlin. Devlin is a former sound man of the Newark Office who was one of several Agents selected as a special squad to cover the Democratic National Convention in Atlantic City, New Jersey, 8/22-28/64. The results of what Devlin furnished Mr. Epstein of the Senate Select Committee (SSC) Staff is set out in the attached teletype.

RECOMMENDATION:

We have checked with Mr. James Wilderotter of The White House, and he interposes no objection to our contacting those former Agents who participated in this squad and advising them they might be approached for interview by members of the SSC Staff. If you approve, we will contact those former Agents and alert them they might be approached by the SSC Staff. We will not advise them of the area which may be covered in any interview of them. We will advise them, however, that should they be interviewed and during the course of same, questions are asked which relate to sensitive Bureau operations, they can request that an FBI Agent be present. Assistant Director Mintz concurs in this action.

1 - Mr. Mintz

WOC:ekw

OK to do
 per Adams
 4:05 pm
 5/1/75
 S

ENCLOSURE
 62-116395-

1 - Mr. R. J. McCarthy
1 - Mr. W. O. Cregar

CODE

TELETYPE

URGENT

1 - Mr. R. D. Shea

JUNE 13, 1975

1 - Mr. G. G. Ross

J U N E

TO SACS DETROIT
HONOLULU
LOS ANGELES
MILWAUKEE
SACRAMENTO
WFO

FROM DIRECTOR FBI (62-116395)

SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2 ALM/STG

IN CONNECTION WITH SENATE SELECT COMMITTEE REQUEST,
FOLLOWING DATA REQUESTED BY RETURN TELETYPE ATTENTION INTD -
W. O. CREGAR.

ELECTRONIC SURVEILLANCE INDICES AT FBIHQ DO NOT INDICATE
OVERHEARS ON KNOWN TECHNICAL INSTALLATIONS ON MARTIN LUTHER
KING, JR. FOR FOLLOWING DATES AND LOCATIONS:

WIRETAPS

APRIL 24 - 26, 1964
HYATT HOUSE MOTEL
LOS ANGELES, CALIFORNIA

JULY 7 - 9, 1964
HYATT HOUSE MOTEL
LOS ANGELES

REC-19
ST. 104

62-116395-242

19 JUN 16 1975

1 - 100-106670 (Martin Luther King, Jr.)

GGR:eks/lhb/lhb
(7)

SEE NOTE PAGE 3

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 13 1975

TELETYPE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐ TELETYPE UNIT ☒

PAGE TWO 62-116395

MICROPHONES

JANUARY 5 - 8, 1964
WILLARD HOTEL
WASHINGTON, D. C.

JANUARY 27, 1964
SHROEDER HOTEL
MILWAUKEE, WISCONSIN

FEBRUARY 18 - 20, 1964
HILTON HAWAIIAN VILLAGE
HONOLULU, HAWAII

FEBRUARY 20 - 21, 1964
AMBASSADOR HOTEL
LOS ANGELES

FEBRUARY 22 - 24, 1964
HYATT HOUSE MOTEL
LOS ANGELES

MARCH 19 - 20, 1964
STATLER HOTEL
DETROIT, MICHIGAN

APRIL 23 - 24, 1964
SENATOR HOTEL
SACRAMENTO, CALIFORNIA

JULY 7 - 9, 1964
HYATT HOUSE MOTEL
LOS ANGELES

PAGE THREE 62-116395

OFFICES REVIEW ELECTRONIC SURVEILLANCE INDICES AND
FURNISH FBIHQ FIRST DATE THAT KING WAS OVERHEARD ON ABOVE
TECHNICAL INSTALLATIONS. IF HE WAS NOT HEARD, SO ADVISE.

NOTE:

In connection with Senate Select Committee's request for electronic surveillance information, it is necessary to contact above field divisions to obtain dates that King was overheard on known installations at above offices.

~~TOP SECRET~~ MATERIAL ATTACHED

The Attorney General

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Gregg
June 12, 1975

1 - Mr. R. H. Horner
1 - Mr. T. E. Burns

#MDR/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP-2 ALM/ATG

By letter dated May 14, 1975, with attached
appendices, the SSC requested certain information and
documents from the FBI.

Enclosed for your approval and forwarding to
the Committee is the original of a memorandum containing
a response to one of the Committee's requests.

With regard to your approval in this matter,
your attention is invited to the suits captioned "Morton H.
Halperin, et al., versus Henry A. Kissinger, et al.,
United States District Court, District of Columbia (USDC, DC)
Civil Action File Number 1187-73" and "William A. K. Lake,
et al., versus John D. Ehrlichman, et al., USDC, DC Civil
Action File Number 74-887" and the court orders issued in
such suits dated April 1, 1974, by USDC Judge John Lewis
Smith which sealed certain documents and other material
concerning the above plaintiffs relating to electronic
surveillances maintained on such plaintiffs. It is submitted
that your decision in the matter of furnishing the enclosed
information to the SSC may require consideration of the
above court orders.

A copy of this memorandum is being furnished for
your records.

Enclosures - 2

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ident. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. of Cong. & Public Affairs _____
Rec. Mgmt. _____
Tech. Serv. _____
Training _____

62-116395

1 - The Deputy Attorney General

Attention: K. William O'Connor

Special Counsel for
Intelligence Coordination

JUN 27 1975

TEB:dmt

(10)

~~TOP SECRET~~ MATERIAL ATTACHED

MAIL ROOM ☐

TELETYPE UNIT ☐

ROUTE IN ENVELOPE

~~TOP SECRET~~

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. R. H. Horner
1 - Mr. T. E. Burns

62-116395

JUNE

June 12, 1975

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO ELECTRONIC
SURVEILLANCE

Reference is made to SSC letter dated May 14, 1975,
with attached appendices, requesting certain documents and
other information from the FBI.

Item number four, Appendix D, requested listing of
all electronic surveillances identified by subject and
target of the so-called "Kissinger 17." Set forth below
is a list of individuals who were both the subject and
target of electronic surveillances and who have been
identified as the so-called "Kissinger 17."

1. Brandon, Henry
2. Davidson, Daniel Ira
3. Halperin, Morton H.
4. Kalb, Marvin
5. Lake, William Anthony
6. Lord, Winston
7. McLane, Jamie W.
8. Loose, Richard H.
9. Pederson, Ambassador Richard F.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TEB:dmt
(9)

~~TOP SECRET~~

SEE NOTE PAGE TWO

Classified by 6283
Exempt from GDS, Category 2
Date of Declassification Indefinite

ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT ☐

ROUTE IN ENVELOPE

~~TOP SECRET~~

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

10. Pursley, Colonel Robert E.
11. Safire, William L.
12. Sears, John Patrick
13. Smith, Hedrick L.
14. Snoidor, Richard Lee
15. Sonnenfeldt, Helmut
16. Sullivan, Ambassador William H.
17. Beecher, William

1 - The Attorney General

NOTE:

The suits referred to within are seeking damages in connection with the electronic surveillances conducted. With regard to the 15 individuals on this list who are not plaintiffs, the Government has not heretofore specifically acknowledged that these individuals were the subject of electronic surveillances. This matter has been closely coordinated with the Legal Counsel Division which advised that according to U. S. Department of Justice Attorney Edward Christenberry June 6, 1975, the U. S. Department of Justice has not at this point made a final determination as to whether the electronic surveillance material requested by the SSC concerning the plaintiffs will be furnished to the Committee. The information is being furnished exactly as requested and the U. S. Department of Justice will have to make a legal determination as to what will be furnished in light of the described court orders. The enclosed material has been classified "Top Secret" since the communications requesting the authority to conduct the surveillances in question were so classified. This matter was coordinated with SA's Robert F. Peterson and Robert F. Olmert of the Legal Counsel Division.

~~TOP SECRET~~

UNITED STATES GOVERNMENT

Memorandum

SECRET/SCOPE (S)

1 - Mr. J. B. Adams
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

TO : Mr. W. R. Wannall *Wannall*

DATE: 7/15/75

FROM : F. S. Putman *Putman/SSM*

J U N E

1 - Mr. F. S. Putman
1 - Mr. W. A. Branigan
1 - Mr. L. F. Schwartz
1 - Mr. M. R. L'Allier

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director/Sec'y _____

Reference is made to memorandum W. O. Cregar to Mr. W. R. Wannall, dated 6/26/75, captioned "Senstudy 75."

SYNOPSIS:

(S) The purpose of this memorandum is to summarize information in FBI files concerning [Israeli intelligence collection capabilities] in the United States. James J. Angleton, former Chief, Counterintelligence Operations, Central Intelligence Agency (CIA), advised the FBI on 6/26/75 that he appeared before the Senate Select Committee (SSC) and in response to questions advised SSC he only had secondhand and fragmentary information concerning [Israeli capabilities to conduct intelligence collection] in the United States, including [nuclear information]. He advised the SSC that questions concerning this matter might more properly be directed to the FBI. [Sensitive technical source coverage by the FBI of the] between February, 1969, and October, 1972, developed information showing that Angleton, during this period in his official capacity at CIA, had frequent personal liaison contacts with the [] Israeli Intelligence Service (IIS) representatives involving the exchange of extremely sensitive information. Currently the FBI has no pending investigation involving Israeli intelligence collection capabilities in the United States. The most current information in FBI files concerning this matter involved the investigation based on [] concerning the establishment at [] of an Israeli technical intelligence network. Also under investigation during this period at New York City was an IIS attempt to penetrate United Nations and official Arab establishments by the use of live sources. FBI files also reflect that IIS representatives periodically have operated in the United States since 1943.

1 - [65-58700 (IIS)] (S)

REC-88

CONTINUED - OVER (S)
3 JUL 22 1975

MRL:med
(9)

DETAILS - PAGE 2

SECRET/SCOPE (S)

Classified by 7005
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

6 JUL 22 1975

ROUTE IN ENVELOPE

UNRECORDED COPY FILED IN

S-1035
SPEC. MAIL RM.

SECRET/[SCOPE](S)

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75

ACTION:

None. For information.

THG

JA

WRL

WOB

PO

Jma

SECRET/[SCOPE](S)

- la -

SECRET/[SCOPE](s)

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75

DETAILS:

According to referenced memorandum, James Angleton, former Chief, Counterintelligence Operations, CIA, advised the FBI on 6/26/75 that he had recently testified under oath without counsel before three Senators and staff members of the Senate Select Committee (SSC). He was questioned concerning his knowledge of [Israeli capabilities to conduct intelligence collection] in the United States, including [nuclear information]. Angleton stated he avoided any direct answers, advising that any knowledge he might have would be secondhand and fragmentary. He informed the SSC that questions concerning this matter might more properly be directed to the FBI. (S)

Sensitive technical source coverage by the FBI of the [redacted] between February, 1969, and October, 1972, determined that Angleton, in his official capacity at CIA, had frequent personal liaison contacts with Israeli Intelligence Service (IIS) representatives at the [redacted] involving the exchange of extremely sensitive information. This special relationship was confirmed by Angleton and other CIA officials during a meeting with an FBI representative on 4/3/69. At this meeting CIA representatives stated that this liaison with IIS was known by the White House and the U. S. State Department. (S)

At the present time the FBI has no pending investigation involving Israeli intelligence collection capabilities in the United States. (S)

The most current information in FBI files concerning this matter involved the investigation based on [redacted] concerning the establishment at [redacted] Israeli technical intelligence network directed by Avraham Hermoni, Scientific Counselor. Hermoni, prior to his assignment as Scientific Counselor in Washington, D. C., was involved in the Israeli nuclear weapons program. The activities and contacts of Hermoni and colleagues at the Embassy were investigated through 1972. The investigations of these individuals were discontinued as no specific information was developed to indicate that they had acted unlawfully or outside the scope of their official duties. (S)

CONTINUED - OVER

SECRET/[SCOPE](s)

SECRET/[SCOPE](S)

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75

During the period of these investigations it was determined that Embassy of Israel officials recruited U. S. scientists for employment in Israel, and extensive liaison was established with individuals within U. S. scientific, political, academic and industrial communities. As an example, Hermoni developed close contact with Dr. Zalman Mordecai Shapiro, Director of Nuclear Materials and Equipment Corporation, Apollo, Pennsylvania, a firm which processes uranium 235 for nuclear reactors. (S)

The basis of the discontinuation of the sensitive technical source coverage on [REDACTED] (S)

JFK Act 6 (1) (C)

During this period it was also determined that the IIS was attempting to penetrate the United Nations (UN) and Arab diplomatic establishments in New York City. An informant of the New York Office, who previously engaged in intelligence activities in the Middle East for the Israelis between 1955 and 1960 while working at the UN, was recontacted by Israeli intelligence in August, 1968, while visiting Israel. This informant had access at the UN to extremely sensitive information from the office of the Secretary General. Israeli intelligence had directed him to obtain and furnish, through a mail drop in Belgium, interoffice communications between the Secretary General of the UN and his undersecretaries, and information regarding the Middle East, particularly relating to Arab matters. (S)

In May, 1968, another informant of the New York Office, who previously resided in the Middle East and was active in the Egyptian intelligence service, addressed a personal letter to General Dayan of Israel in which he expressed his opinion the Israelis should force the Egyptians to surrender and sign a peace treaty. Informant was subsequently contacted in New York City by an Israeli intelligence agent who furnished his name as "Michael" who showed informant a copy of his letter to Dayan. "Michael" subsequently "recruited" informant and furnished him a mail drop in Italy. "Michael" instructed informant to obtain employment at an Arab diplomatic establishment in New York City in order to (S)

CONTINUED - OVER

SECRET/[SCOPE](S)

SECRET/[SCOPE](S)

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75

furnish Israeli intelligence information on Arab moves in the
Middle East crisis. During a meet in October, 1969, "Michael"

JFK Act 6 (1) (C)

wra

Jan

SECRET/[SCOPE](S)

- 4 -

SECRET

1 - Mr. J. B. Adams
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

Mr. W. R. Wannall

W. O. Cregar

6/26/75

① - Mr. F. S. Putman
1 - Mr. W. A. Branigan
1 - Mr. L. F. Schwartz

SENSTUDY 75

[(s)]

On 6/26/75 James J. Angleton, former Chief, Counterintelligence Operations, Central Intelligence Agency, telephonically furnished the following information to SA L. F. Schwartz.

Angleton recently testified under oath before three Senators and Staff Members of the Senate Select Committee (SSC). He appeared without counsel. During his testimony, Angleton was asked numerous questions concerning his knowledge of Israeli capabilities to conduct intelligence collection in the United States. Among the questions asked Angleton were questions bearing on Israeli efforts to gather nuclear information in the United States. Angleton indicated that the SSC apparently is aware of Angleton's past close relationship with the Israelis, and Angleton feels that the questions directed to him by the SSC may be related to information provided to the Committee by correspondent Tad Szulc who, according to Angleton, is writing an article concerning Angleton's relationship with the Israelis for Penthouse Magazine. Angleton understands that Szulc has either testified or has been interviewed by the SSC.

Angleton stated that he avoided any direct answers on the above questions by stating that any knowledge he might have would be secondhand and fragmentary. He advised the SSC that such questions might more properly be directed to the FBI. When asked who in the Bureau might be knowledgeable in this

62-116395

LFS:1hb

11/8/01 #00016
CLASSIFIED BY SP-2 ALM/216
DECLASSIFY ON: 25X1

CONTINUED - OVER

SECRET

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

area, Angleton replied that he did not know but that he believed the current senior Bureau official concerned with operational matters to be Deputy Associate Director James B. Adams.

In addition, Angleton advised that certain questions he was asked dealt with alleged Soviet attempts to infiltrate the CIA and other agencies. Again, Angleton avoided a direct answer and indicated that the FBI would be the appropriate agency to direct such questions to. Finally, Angleton commented that in the event the Bureau thought it desirable he would be happy to personally brief the Director or other appropriate Bureau official concerning his testimony. He commented that he has not been asked to, nor has he offered to, brief William Colby, Director of Central Intelligence, concerning his testimony.

RECOMMENDATIONS:

1. We are checking for any available information in files concerning Israeli intelligence collection capabilities in the United States. Results will be summarized in separate memorandum. (S)

2. It is not believed appropriate to request Angleton to brief the Director or other Bureau official concerning his testimony, particularly since Angleton has not seen fit to brief his former superiors at CIA. A request by the Bureau for a briefing by Angleton might be misconstrued if it were to come to the attention of Colby or other CIA officials.

SECRET

UNITED STATES GOVERNMENT

Memorandum

TO : MR. W. R. WANNALL

FROM : MR. W. O. CREGAR

SUBJECT: SENSTUDY 75

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(J. B. Hotis)

DATE: June 4, 1975

- 1 - Mr. W. R. Wannall
- 1 - Mr. H. N. Bassett
- 1 - Mr. W. O. Cregar

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

This memorandum recommends that Deputy Associate Director Adams personally discuss with the Attorney General (AG) procedures as to how we will respond to the 5/14/75 request from the Senate Select Committee (SSC) relating to Mr. Hoover's O & C files.

In a letter dated 5/14/75 directed to the AG, Senator Frank Church, Chairman of the SSC, requested extensive information from both the Department and the FBI. Appendix C III, page four, of the 5/14/75 letter concerned itself with the O & C files of the FBI. Specifically, Question 21 asked for an itemized description of the contents of each O & C folder. Question 22 requested all memoranda and other materials contained in the O & C files pertaining to internal security, intelligence collection and/or counterintelligence matters. Question 23 requested all memoranda, files, or other materials including inspection reports on which a statement by AG Levi before the House Judiciary Committee 2/27/75 was predicated.

It is to be noted that in Senator Church's letter he took cognizance of the privacy issue involved in some of the O & C files. He requested where the response to a particular request would involve the production of derogatory personal information about an individual, we provide the document with such information deleted and consult the Chief Counsel of the SSC regarding procedures for access to the deleted information which would protect individual privacy to the degree consistent with the Committee's need to exercise its mandate.

In February the Inspection Staff conducted a comprehensive review of these O & C files. An overall memorandum together with a summary statement with respect to each of the 164 folders comprising the O & C files was prepared. A copy of the Inspection Staff memorandum together with a copy of each of the 164 summary

62-116395

WOC:ekw
(7)

ENCL BEHIND FILE

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
RE: SENSTUDY 75
62-116395

statements was furnished AG Levi. Following receipt of these, the AG, accompanied by the then Associate Deputy AG James Wilderotter, visited the Bureau and personally reviewed a number of files from which the summary statements were developed. It was based on this review that the AG made his statement before the House Judiciary Committee on 2/27/75.

In order to comply with the requests from the SSC dated 5/14/75 relating to the O & C files, it is suggested we permit Senator Church and Senator John Tower, Minority Chairman of the SSC, be allowed to review the 164 summary statements prepared by the Inspection Division without any deletions or excisions. We believe this effort would demonstrate a willingness on the part of the Bureau to be forthcoming and would allow the Committee in the persons of Church and Tower to satisfy themselves that the AG's statement of 2/27/75 correctly represented the contents of the O & C files. If after this review Senators Church and Tower feel they would personally like to review a file or files from which the summary statements were prepared, we would be in a position to excise from the file or files any information which might reveal highly sensitive investigative techniques or the identities of sources, either of which could jeopardize FBI ongoing investigations.

It is recognized, of course, that the manner in which we respond to the SSC in this or any other requests is a decision that the AG must make.

ACTION: That Deputy Associate Director Adams personally discuss this matter with the AG as to how the AG desires the Bureau respond to the 5/14/75 request regarding the contents of the O & C files.

we have not and are not agreeing to access to access files. Just

Discussed with DAB & counsel. AG's committee will mention to President Johnson.

[Signature]

*11th
AG
7/9/75
WOO*

*for Response to Committee
see letter to AG
dated 7/14/75
pvd*

Wannall

June 4, 1975

M DE 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP-2 PLM/16

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES

RE: "OFFICIAL AND CONFIDENTIAL"
FILES OF THE FBI

Reference is made to letter dated May 14, 1975, with attached appendices, requesting certain documents and other information from the FBI.

Appendix C, Part III, paragraphs 21, 22, and 23, of referenced letter requested the following information:

- "21. An itemized description of the contents of each file folder in the so-called 'Official and Confidential' files of the FBI (see testimony of Attorney General Levi before the House Judiciary Committee, February 27, 1975).
- "22. All memoranda and other materials contained in the 'Official and Confidential' files pertaining to internal security, intelligence collection, and/or counterintelligence matters, operations, or activities including, but not limited to, the following documents mentioned by the Attorney General:

"a. 'Policy Matters' -- 'Presidential directives regarding the role of the FBI in the security field; conversations between Mr. Hoover and a President-elect regarding the role of the FBI in his forthcoming Administration; letters to and from the White House regarding expansion of FBI legal attache posts abroad'.

HM:jvl
(2)

NOTE:

See memorandum, W. O. Cregar to Mr. W. R. Wannall, dated 6/4/75, captioned as above, prepared by WOC:ekw.

ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT ☐

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

**RE: "Official and Confidential"
Files of the FBI**

- "b. 'Administrative Matters' -- 'Memoranda regarding an Attorney General's decision with respect to supervision of the FBI by an Assistant Attorney General; a memorandum concerning the briefing of the President by Mr. Hoover and the Attorney General with respect to certain intelligence activities by hostile nations within the United States'.**
- "c. 'Reference Material' -- 'A compilation of data concerning the 1964 riots'.**
- "d. 'Protection of sources or sensitive information' -- 'Materials on FBI counterintelligence activities; technical devices and techniques; the telephone surveillance involving sensitive coverage in the national security area'.**
- "23. All memoranda, files, or other materials, including inspection reports or related surveys, which pertain to the following statement by Attorney General Levi in his testimony before the House Judiciary Committee, February 27, 1975:**
 - "... In order to consider what measures may be appropriate, we have endeavored to characterize the types of abuse to which the Bureau has been susceptible in the past.**
 - "a. 'Use of the resources of the FBI to gather political intelligence. Our review disclosed a few documented instances in which the Bureau at times during the course of an election campaign was requested to provide -- and did indeed provide -- information which could be used as political intelligence information. In one instance, this involved a check of FBI files on the staff of a campaign opponent.**

**RE: "Official and Confidential"
Files of the FBI**

- "b. 'Improper use of the FBI in connection with the political process. In a few instances recorded in Bureau files, an incumbent President caused the FBI to gather intelligence relating to a political convention under circumstances that although cast in legitimate law enforcement terms could -- and some would say should -- have been suspected of being politically motivated.**
- "c. 'Use of the FBI to report on certain activities of critics of an Administration's policies. The FBI files document a few instances in which an incumbent President caused the Bureau to report on certain activities of Members of Congress who were opposed to and critical of his policies.**
- "d. 'Use of information in the FBI files to respond to or discredit critics. Again, the Bureau files document a very small number of instances in which derogatory information legitimately obtained by the Bureau was disseminated to other members of the Executive Branch to enable them to discredit their critics.**
- "e. 'Use of the FBI in connection with other legitimate law enforcement activities. There was one documented instance where the FBI was used to conduct an inquiry for what might be described as political purposes, relating to an investigation properly conducted by other Executive Branch officials."**



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

62-116395

June 4, 1975

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES

RE: "OFFICIAL AND CONFIDENTIAL"
FILES OF THE FBI

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Appendix C, Part III, paragraphs 21, 22, and 23, of referenced letter requested the following information:

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- "22. All memoranda and other materials contained in the 'Official and Confidential' files pertaining to internal security, intelligence collection, and/or counterintelligence matters, operations, or activities including, but not limited to, the following documents mentioned by the Attorney General:
- "a. 'Policy Matters' -- 'Presidential directives regarding the role of the FBI in the security field; conversations between Mr. Hoover and a President-elect regarding the role of the FBI in his forthcoming Administration; letters to and from the White House regarding expansion of FBI legal attache posts abroad'.

*Used for
background
information
on 5/16/75
JAC*



RE: "Official and Confidential"
Files of the FBI

- "b. 'Administrative Matters' -- 'Memoranda regarding an Attorney General's decision with respect to supervision of the FBI by an Assistant Attorney General; a memorandum concerning the briefing of the President by Mr. Hoover and the Attorney General with respect to certain intelligence activities by hostile nations within the United States'.
 - "c. 'Reference Material' -- 'A compilation of data concerning the 1964 riots'.
 - "d. 'Protection of sources or sensitive information' -- 'Materials on FBI counterintelligence activities; technical devices and techniques; the telephone surveillance involving sensitive coverage in the national security area'.
- "23. All memoranda, files, or other materials, including inspection reports or related surveys, which pertain to the following statement by Attorney General Levi in his testimony before the House Judiciary Committee, February 27, 1975:
- "'. . . In order to consider what measures may be appropriate, we have endeavored to characterize the types of abuse to which the Bureau has been susceptible in the past.
- "a. 'Use of the resources of the FBI to gather political intelligence. Our review disclosed a few documented instances in which the Bureau at times during the course of an election campaign was requested to provide -- and did indeed provide -- information which could be used as political intelligence information. In one instance, this involved a check of FBI files on the staff of a campaign opponent.

RE: "Official and Confidential"
Files of the FBI

- "b. 'Improper use of the FBI in connection with the political process. In a few instances recorded in Bureau files, an incumbent President caused the FBI to gather intelligence relating to a political convention under circumstances that although cast in legitimate law enforcement terms could -- and some would say should -- have been suspected of being politically motivated.
- "c. 'Use of the FBI to report on certain activities of critics of an Administration's policies. The FBI files document a few instances in which an incumbent President caused the Bureau to report on certain activities of Members of Congress who were opposed to and critical of his policies.
- "d. 'Use of information in the FBI files to respond to or discredit critics. Again, the Bureau files document a very small number of instances in which derogatory information legitimately obtained by the Bureau was disseminated to other members of the Executive Branch to enable them to discredit their critics.
- "e. 'Use of the FBI in connection with other legitimate law enforcement activities. There was one documented instance where the FBI was used to conduct an inquiry for what might be described as political purposes, relating to an investigation properly conducted by other Executive Branch officials."

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 003 HN CODE

5:47PM HST NITEL JUNE 16, 1975 GBM

JUN 16 1975

TO: DIRECTOR (62-116395)

TELETYPE

FROM: HONOLULU (62-865)

JUNE

SENSTUDY 75.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP-2 BLD/12/16

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

RE BUREAU TELETYPE, JUNE 14, 1975.

ELECTRONIC SURVEILLANCE (ELSUR) INDICES AT HONOLULU ARE
NEGATIVE RELATIVE TO OVERHEARS ON MARTIN LUTHER KING, JR.
HOWEVER, REVIEW OF HONOLULU CONTROL FILE PERTAINING TO ELSUR
MATTERS CONTAINS TWO TELETYPES FROM HONOLULU TO DIRECTED DATED
FEBRUARY 18, 1964, AND FEBRUARY 19, 1964, HONOLULU FILE 100-6313,
FOR THE "IMMEDIATE PERSONAL ATTENTION, ASSISTANT DIRECTOR
WILLIAM C. SULLIVAN" CAPTIONED "CPUSA, NEGRO QUESTION, COMMUNIST
INFLUENCE IN RACIAL MATTERS; IS - C, BUFILE 100-3-116, MARTIN
LUTHER KING, R., SM - C".

TELETYPE DATED FEBRUARY 18, 1964, INDICATES THAT ON
FEBRUARY 17-18, 1964, "DOUBLE WASP" COVERAGE WAS EFFECTED ON KING
AND HIS PARTY AT HILTON HAWAIIAN VILLAGE, HONOLULU, HAWAII. THIS
TELETYPE SETS FORTH COMMENT OF KING IN HIS HOTEL ROOM TO THE EFFECT
THAT "THIS IS A BEAUTIFUL PLACE AND ALL WE NEED IS GIRLS."

REC-38

3 JUL 31 1975

6 JUL 31 1975

SPEC. INTEL. RM.

PAGE TWO (HN 62-865)

TELETYPE FEBRUARY 19, 1964, ALSO SETS FORTH PARTIAL CONVERSATION OF KING IN HIS HOTEL ROOM.

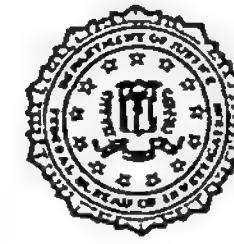
ABOVE COMMUNICATIONS MAINTAINED IN HONOLULU FILE 100-6313A.

END

MAH FBHQ ACK FOR ONE

GA AND HOLDING

Memorandum



CLASSIFICATION:

To : Assistant Director *GNC/zlw*
Information Management Division

Date 2/20/91

From : RANDOLPH G. PRILLAMAN / *RG P/zlw*

Subject : SENSTUDY 75

Dep. Dir. _____
ADD Adm. _____
ADD Inv. _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Cong. Affs. Off. _____
Off. of EEO _____
Off. Liason & _____
Int. Affs. _____
Off. of Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

PURPOSE: To designate file # 62-116395-408 or other material identified herein for handling by the SFR as indicated. Execute numbered paragraphs only as they may apply. For new cases, the SFR will insert the file number, but depositors should specify classification desired for file.

1. The attached file/document should receive special restricted processing and access in the SFR for the reasons set forth below (Specify justification):

2. The Control Officer for file number _____ is designated as the Unit Chief of the _____ Unit; Unit cost code _____, extension number _____, room # _____ Alternate Control Officer is the Section Chief of the _____ Section; extension number _____, room # _____, Division _____.

3. The following entities will be granted direct access to this file/document with the understanding that no information contained therein may be used or extracted without the knowledge and concurrence of the depositor.

- a. Document Classification Appeals and Affidavits Unit
- b. Name Check and Service Unit

CLASSIFICATION:

mdr/b
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2 AEM/776

CLASSIFICATION:

4. The following entities may be granted direct access to this file/document with the understanding that no information contained therein may be used or extracted without the knowledge and concurrence of the depositor. (Check as appropriate or specify additional).

- a. Legal Counsel Division_____
- b. Freedom of Information and Privacy Acts Section_____
- c. ELSUR Index Subunit_____
- d. Security Programs Unit_____
- e. Industrial Security and Clearance Invest. Unit_____
- f. Facility Access and Security Unit_____
- g. _____

5. File #_____ should be removed from the SFR and placed in general filing space. Authorized by _____ (Signature and Title).

6. The code word/name_____ should be indexed and assigned to this investigation entitled: (Show Title and identify approving communication. Also, submit search slip showing General Indices was searched.)

CLASSIFICATION:

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 16 1975

NR 011 LA CODE

3:38 PM URGENT 6-16-75 SMA

TO DIRECTOR (62-116395)

FROM LOS ANGELES (100-24345C)

ATTN: INTD - W. D. CREGAR

JUNE: SENSTUDY 75.

RE BUREAU TELETYPE, JUNE 13, 1975 AND LOS ANGELES
TELETYPE, JUNE 13, 1975.

FURTHER SEARCH OF LOS ANGELES JUNE FILES REFLECTS THE
FOLLOWING CONCERNING ELECTRONIC SURVEILLANCE OF MARTIN LUTHER
KING, JR.:

MISUR INSTALLED AMBASSADOR HOTEL, LOS ANGELES, 11:45 PM,
FEBRUARY 20, 1964. ASSIGNED SYMBOL NO. CSLA 4492-S ASTERISK.
DISCONTINUED 6:00 PM, FEBRUARY 21, 1964.

MISUR INSTALLED HYATT HOUSE MOTEL, LOS ANGELES, 9:30 PM,
FEBRUARY 22, 1964. ASSIGNED SYMBOL NO. CSLA 4493-S
ASTERISK. DISCONTINUED 9:30 PM, FEBRUARY 24, 1964.

TESUR INSTALLED HYATT HOUSE MOTEL, LOS ANGELES, 4:00 PM,
APRIL 24, 1964. ASSIGNED SYMBOL NO. CSLA 4506-S ASTERISK.
DISCONTINUED 2:00 PM, APRIL 26, 1964.

TESUR AND MISUR INSTALLED HYATT HOUSE MOTEL, LOS ANGELES,
10:00 PM, JULY 7, 1964. ASSIGNED SYMBOL NOS. CSLA 4522-S
ASTERISK AND CSLA 4523-S ASTERISK. DISCONTINUED 9:30 AM,
JULY 9, 1964.

END

SPEC. MAIL RM.

ROUTE IN ENVELOPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

#m0216
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/706

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 002 DE CODE

4:15 PM URGENT JUNE 16, 1975 PMH

TO: BUREAU (62-116395)

FROM: DETROIT (62-

ATTENTION: INTD - W.O. CREGAR

JUNE, SENSTUDY 75.

RE BUREAU TELETYPE TO DETROIT, DATED JUNE 13, 1975.

DETROIT ELECTRONIC SURVEILLANCE INDICES SHOW NO
REFERENCE TO KING ON INSTALLATION LISTED IN REFERENCED
TELETYPE.

END

REC-88

62-116395-459

3 JUL-30 1975

6 AUG 4 1975

SPEC. MAIL RM.

The Attorney General

July 25, 1968

Director, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2ALM/JTG

ELECTRONIC SURVEILLANCE DISCLOSURE MATTERS

This Bureau is presently conducting electronic surveillance checks for the Department in accordance with guidelines furnished by the Criminal and Tax Divisions of the Department.

The Criminal Division and Tax Division guidelines with respect to monitored conversations require that the FBI furnish instances where the individual being checked appears to be present at, or a participant in, conversation overheard in any electronic surveillance conducted by the FBI. Additionally, the Tax Division guidelines require instances where the individual was "mentioned or discussed" by others who were monitored by electronic surveillance.

If the present requirements of the Felix Alderisio and related decisions do not require the disclosure of "mentioned or discussed" references to subjects in electronic surveillance logs, it would appear that unnecessary time and effort are being utilized in compiling such information for the Tax Division.

In view of recent court decisions, the Criminal Division furnished amended guidelines requiring a check of our records to also determine if the individual being checked had proprietary interest in premises where our electronic surveillance coverage was maintained.

In order to establish uniformity in the matter of electronic surveillance checks being made for the Department, it is requested that the Department advise whether the "mentioned or discussed" references not now required by the Criminal Division should continue to receive consideration for Tax Division electronic surveillance checks. Further, please advise if this Bureau should also determine proprietary interest for requests received from the Tax Division as is done in Criminal Division requests.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation

DATE:

April 16, 1969

FROM : Will Wilson
Assistant Attorney General
Criminal Division

SUBJECT: ELECTRONIC SURVEILLANCE
John Baborian et al.
Rhode Island - Maine

10/24/00
SP-274M 1776
#m D 16

As you know, the decision of the Supreme Court on March 10, 1969, in Willie Israel Alderman, et al. v. United States expanded the concept of standing with respect to electronic surveillance and held that an individual has standing not only with respect to his own overheard conversations but also with respect to overhearings on premises in which he has a proprietary interest, even though he was not present at the time of the conversations. Because of this decision, it will be necessary in future requests for electronic surveillance information to ascertain whether or not there was coverage on premises in which the subject had a proprietary interest. Accordingly, it is requested that you advise as to each of the individuals on the attached list:

(a) Whether the named individual appears to be present at, or a participant in, conversations overheard in any electronic surveillance by your agency.

(b) Whether an electronic surveillance was conducted on any premises of which the named individual was the owner, lessee or licensee.

(c) If the individual or the premises of which the individual was owner, lessee or licensee was the subject of an electronic surveillance, did the surveillance consist of wiretapping or an electronic eavesdropping device.

(d) If the latter, please advise us of the method of entry utilized in the placement of the device.

(e) Was the information from any such device disseminated in any manner to any other agency. If so, when and to whom?

(f) Did the information from any such device appear directly or indirectly in any reports made in reference to the individual by your agency. If so, would you please advise us of the reports in which such information appeared and if the information was attributed to a "T" symbol, the designation of that symbol in the pertinent report.

If your records indicate that the individuals have used names other than those indicated, please check your electronic surveillance indices with respect to the additional names.

Attachment

5/2/69

Airtel

To: SAC, Albany - Enc.

From: Director, FBI

DEPARTMENT INQUIRIES CONCERNING
ELECTRONIC SURVEILLANCE COVERAGE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/24/00 BY SP-2ALM/STG

Buairtel to SAC, Albany, January 12, 1967, with Exhibits A and B furnished guidelines for conducting electronic surveillance checks for the Tax and Criminal Divisions of the Department.

In view of the Supreme Court decision on March 10, 1969, in the Willie Israel Alderman case, the Criminal Division of the Department has revised some of the questions referred to the Bureau relative to individuals to be checked in our records for electronic surveillance coverage. A copy of a memorandum from the Criminal Division dated April 16, 1969, captioned "Electronic Surveillance, John Baborian et al., Rhode Island - Maine," is enclosed for each office containing a brief explanation of what will be required in future electronic surveillance checks. The significant change is contained in question (b) of the enclosed memorandum.

In future electronic surveillance requests from the Criminal Division in line with the April 16, 1969, memorandum, each office will be referred to this airtel and its enclosure as containing the guidelines to follow for the electronic surveillance check.

Each request for electronic surveillance information received by your office must be carefully searched through existing records to insure complete accuracy as to the coverage and related material.

Also, in each reply to the Bureau containing details of electronic surveillance coverage on individuals checked, the identity of the monitoring microphone must be included.

2 - All Offices - Enclosure

1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. McAndrews
1 - Mr. Stefanak

September 28, 1966

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/7TG

#mDR16

Approved: [Signature]

RECEIVED [Stamp]

Microphone Surveillance

This will acknowledge receipt of the letter from Assistant Attorney General Vinson dated September 27, 1966, wherein he suggests that it may be advisable for this Bureau to maintain appropriate indices with respect to electronic surveillances and materials derived therefrom. Such indices are already in existence.

With reference to the observation concerning early advice of any electronic device in cases being prepared for prosecution, it should be noted that we are not aware at all times of all cases falling into this category. It would appear, therefore, incumbent on the Department, particularly in tax cases involving organized crime figures, to notify us of those matters which may be under consideration as to prosecution. If, in such matters, you will notify us of any intent as to prosecution, we will be happy to immediately furnish you with any pertinent information.

In the event you desire a Departmental representative to contact the Bureau concerning this matter, please feel free to communicate with Mr. DeLoach who is in a position to discuss this matter.

With reference to the statement in Mr. Vinson's letter of September 27, 1966, concerning the necessity of closing an important investigation in the Miami area because the evidence necessary to obtain a conviction was tainted, I assume Mr. Vinson is referring to the case involving Frank "Lefty" Rosenthal. By memorandum dated April 12, 1965, you were advised of the existence of our coverage on Rosenthal and you indicated your approval of that coverage on the original of that memorandum. It was not until November 26, 1965, long after you personally approved the coverage on Rosenthal that Rosenthal and his associates were indicted for violations of the gambling statutes.

1 - The Deputy Attorney General

W. Fred Vinson, Jr.
Assistant Attorney General

66-5812-66-5815

NOT RECORDED

46 SEP 28 1966

NOTE: See memorandum J.H. Gale to DeLoach, same caption, 9/27/66, [unclear]

ORIGINAL FILED IN 46-8160-2636

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. DeLoach

DATE: September 27, 1966

FROM : J. H. Gale

SUBJECT: ELECTRONIC DEVICES

In the attached memorandum from Fred M. Vinson, Jr., Assistant Attorney General, Criminal Division, dated September 27, 1966, Vinson suggests it may be necessary and desirable for the Bureau to setup indices of individuals who may have been covered by electronic devices and who may be under consideration for prosecutive action.

The Director has instructed that Vinson be told that such an indices is already in operation and that if he feels the need to consult with any Bureau officials, Mr. DeLoach has been designated to handle the contact. The Director also inquired as to whether the statements in Vinson's letter to the effect that a gambling case in Miami had been closed because of prior electronic coverage were correct.

In his letter, Vinson is apparently referring to the gambling case which we developed on Frank "Lefty" Rosenthal in the Miami area. We did have confidential coverage on Rosenthal and Attorney General Katzenbach approved this coverage on our memo of April 12, 1965. Rosenthal was not arrested in the Miami case until November 28, 1965, well after the Attorney General had approved our confidential coverage. This fact is being called to the attention of the Attorney General and Mr. Vinson in the attached letter.

With reference to other statements made in Vinson's letter, we have made available to the Department, wherever requested, pertinent logs of our former confidential coverage. Our indices are adequate to handle any further contact by the Department in this regard. We are so advising Vinson in the attached letter to the Attorney General.

ACTION:

There is attached for approval a letter to the Attorney General with copies to Vinson and to the Deputy Attorney General pointing out we have appropriate indices in operation; indicating

Enc. - Int 7-28-66

1 - Mr. DeLoach
1 - Mr. Gale

1 - Mr. McAndrews
1 - Mr. Stefanak

NOT RECORDED

145 OCT 18 1966

Memorandum to Mr. DeLoach
Re: Electronic Devices

that we are not always aware of cases in which the Department may have a prosecutive interest; suggesting that the Department should check with us whenever they contemplate prosecutive activity, particularly in tax cases involving organized crime figures and informing the Department that if they desire to further discuss this matter, Mr. DeLoach of the Bureau will be in a position to handle such contacts.

This letter also advises the Attorney General that he approved the coverage on Rosenthal on April 12, 1965, and points out that Rosenthal was not arrested until November 28, 1965.

[Handwritten marks: a checkmark, "JHS", "OK", "ps", "MOR", and "OIS"]

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

CONFIDENTIAL

TO : Director
Federal Bureau of Investigation

DATE: JUL 27 1966

FROM : *F* Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

Ampr 16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP-2 RLM/276

SUBJECT: Electronic Devices

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

In recent months the Department has been confronted with serious problems concerning the prospective or continued prosecution of individuals who have been the subject of prior electronic surveillance. These problems have sometimes arisen comparatively late in the investigative or prosecutive process. For example, we recently were forced to close an important investigation involving major gambling figures in Miami because we were advised that the evidence necessary to obtain a conviction was tainted. In other cases the problem arose after indictment (United States v. Davis, Bufile 49-16547; United States v. John Drew) or in the appellate stage after trial (United States v. Black; United States v. Kolod).

Is this correct? M
In view of these experiences, it appears necessary and desirable that the Department have full knowledge of the extent of any device problem at as early a stage of preparation for prosecution as possible in order to determine whether a particular case may or may not be tainted or what responses will be necessary with respect to a motion under Rule 16 to produce statements.

Accordingly, I feel it is imperative for us to establish between the Bureau and the Department (and perhaps United States Attorneys in cases of direct referral) some sort of "early warning" system. This may require the Bureau to set up and maintain appropriate indices with respect to electronic surveillance and the materials derived therefrom.

I have discussed this suggestion with the Attorney General and the Deputy Attorney General. Both feel that the establishment of such indices is necessary. They have suggested that I discuss the details of their establishment with representatives of the Bureau. I should therefore appreciate your designating an individual for this purpose at your earliest convenience.

CONFIDENTIAL

Mr. W. R. Wannall

12/4/74

A. B. Fulton

MICROPHONE AND TELEPHONE
SURVEILLANCES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/116

Memorandum J. Keith to Mr. Cleveland, captioned as above, dated 10/23/74 recommended an airtel to all offices which instructed each field division maintaining a Title III or a national security electronic surveillance to submit by close of business each Friday an index card on each person who was the subject of direct electronic surveillance coverage and each individual monitored by such coverage.

Pursuant to instructions by the Bureau, these cards are submitted by cover airtel which lists the names of the individuals contained on the cards.

INTD feels the transmission of this list in open Bureau mail could compromise security of certain sensitive investigations and that the above procedure should be amended to prevent the listing of those persons surveilled and those persons overheard in an open communication.

INTD recommends that as a security measure, current instructions be amended and that the inventory of the names of persons overheard or subjected to electronic surveillance be included in the enclosure with the index cards and the cards and inventory list be submitted by cover airtel merely stating that the enclosures are being forwarded pursuant to Bureau instructions.

Enclosure

MRHH:rfk
(19)

:: CONTINUED - OVER

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ROUTE IN ENVELOPE

Memorandum to Mr. W. R. Wannall
Re: Microphone and Telephone
Surveillances

RECOMMENDATION:

That the attached amendment to existing instructions be approved and reproduced for transmission to all field offices.

VELOPE

TRUE COPY

Airtel

To: SAC, Albany

JUNE

12/6/74

From: Director, FBI

PERSONAL ATTENTION

MICROPHONE AND TELEPHONE SURVEILLANCES

ReBuairtel to Albany captioned as above dated 10/23/74.

Referenced communication instructed that index cards prepared in connection with electronic surveillance coverage should be submitted under the above caption with a cover airtel listing the names appearing on each card. In an effort to tighten the security of the submission of these cards, those instructions are being amended as follows:

Cards are to be submitted by airtel each Friday under the caption "Microphone and Telephone Surveillances" and carry Bureau file number 62-318. The cover airtel is to merely state that the cards are being submitted pursuant to instructions contained in Bureau airtel of 10/25/74. The enclosure envelope should contain a listing of the names appearing on the cards contained in the enclosure.

No other instructions set forth in referenced Bureau airtel are amended.

2 - All Offices

TRUE COPY

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/8B

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ROUTE IN ENVELOPE

airtel

10/25/74

To: SAC, Albany

From: Director, FBI

**MICROPHONE AND
TELEPHONE SURVEILLANCES**

#MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP2 ALM/176

This airtel supersedes all previous instructions set forth by FBIHQ concerning the maintenance of the special indices containing names of individuals who were subject of direct electronic surveillance coverage or monitored by an electronic surveillance.

All offices who currently or will in the future use microphone and telephone surveillances in criminal and national security investigations, will submit to FBIHQ, as well as maintain in their own office special indices, the names of all individuals who are subject of direct electronic surveillance coverage or monitored by an electronic surveillance by Friday of each week.

A 3x5 white index card will be utilized in the maintenance of this special indices in national security investigations using the authority of the Attorney General of the United States. A 3x5 blue index card will be utilized in criminal cases involving the authority in Title III of the Omnibus Crime Control and Safe Streets Act of 1968. Both these cards should have the name of the individual identified, identity of source, and date of direct or monitored coverage. See the attached samples of both special indices cards. The use of a blue card in court-approved electronic surveillances makes for easy recognition in the special indices

Enclosure

2 - All Offices (Enclosure)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Airtel to Albany

Re: Microphone and Telephone Surveillances

at FBIHQ and each field office. All cards are to be submitted to the attention of the Special Investigative Division, Criminal Intelligence and Organized Crime Section. The cards will be submitted by airtel each Friday under the caption "Microphone and Telephone Surveillances." The name on each card enclosed with the airtel should be listed in the body of the airtel.

On each individual on whom a card is prepared, the card must indicate whether or not the individual was the subject of direct coverage or monitored. Only one of the last two items on the index cards should be used.

We require only one card in the special indices for an individual who was subject of direct electronic surveillance coverage or monitored in a conversation by an installation. If the individual was monitored in a conversation by more than one installation, a separate card must be submitted on each individual for each installation.

Henceforth, when an application for a court-approved electronic surveillance is being prepared by a field office for a telephone and/or microphone surveillance, a blue card should also be prepared and submitted on each individual on whom the application is being prepared, i.e., the principals, along with your initial submission of the application to FBIHQ for filing in the special indices at FBIHQ. See the attached sample of this blue card.

In addition, each field office having had a prior court-approved electronic surveillance or surveillances should immediately review each individual application and submit a 3x5 blue card on each principal. Promptly forward these cards by airtel to FBIHQ under the individual case caption listing the names of the principals in the body of the airtel.

You are also reminded that Bureau policy requires a search of the FBIHQ special indices regarding all the principals in your application for a court-approved electronic surveillance prior to the submission of same to FBIHQ. A statement is required in your application showing the results of this search.

Airtel to Albany
Re: Microphone and Telephone Surveillances

FBIHQ is also receiving an increasing number of requests from the Department for electronic surveillance information on individuals appearing before Federal Grand Juries or defendants in criminal prosecutions. Therefore, it is imperative that the special indices at FBIHQ contain names of individuals who were monitored in conversations covered by our electronic surveillances and be current.

You are reminded of the necessity to handle these sources on a strictly need-to-know basis in order to afford maximum security to this type of surveillance. Insure that appropriate administrative procedures are established in these matters. Your submission of special indices cards to FBIHQ will be closely followed.

Accordingly, all electronic surveillance logs must be properly indexed in accordance with instructions set forth in Part II, Section 3, Page 4 of the Manual of Rules and Regulations.

NAME (LAST NAME FIRST)

(Blue Card)

Source: AL NDNY 1

Bufile:

Direct Coverage - (Date)

Participant - (Date)

#m0216
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-00 BY SP-2 ALM/STG

NAME (LAST NAME FIRST)

(Blue Card)

Principal Title III

Source: AL NDNY 1

NAME (LAST NAME FIRST)

(White Card)

Source: AL 1000 - S or R

Bufile:

Direct Coverage - (Date)

Participant - (Date)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland

DATE: October 23, 1974

FROM : J. Keith

SUBJECT: MICROPHONE AND
TELEPHONE SURVEILLANCES

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/VK

The attached airtel to all field offices contains instructions which will supersede previous instructions set forth concerning the maintenance of the special indices containing the names of individuals who were subject of direct electronic surveillance coverage or monitored by an electronic surveillance.

This airtel instructs that henceforth all offices who use microphone and/or telephone surveillances in criminal and national security investigations will submit to FBIHQ, as well as maintain in their own office special indices, the names of all individuals who are the subject of direct electronic surveillance coverage or monitored by an electronic surveillance by Friday of each week.

A 3x5 white index card will be used in the maintenance of this special indices in national security investigations and a 3x5 blue index card in criminal cases. These cards will show the name of the individual identified, identity of source, and date of direct or monitored coverage. The cards will be submitted to the attention of the Special Investigative Division, Criminal Intelligence and Organized Crime Section. The cards will be submitted by airtel each Friday under the caption "Microphone and Telephone Surveillances." The name on each card enclosed with the airtel should be listed in the body of the airtel.

We require only one card in the special indices for an individual who was subject of direct electronic surveillance coverage or monitored in a conversation by an installation. If the individual was monitored in a conversation by more than one installation, a separate card must be submitted on each individual on each installation.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum to Mr. Cleveland
Re: Microphone and Telephone Surveillance

Henceforth, when an application for court-approved electronic surveillance is being prepared by a field office for a telephone and/or microphone surveillance, a blue card should also be prepared and submitted on each individual on whom the application is being prepared, that is to say, the principals, along with the initial submission of the application to FBIHQ for filing in the special indices at FBIHQ.

Each field office is also being requested to review their prior court-approved electronic surveillances and promptly furnish FBIHQ a 3x5 blue card on each principal for filing in the special indices.

Each office is reminded of the necessity to comply with existing Bureau policy and request a search of the FBIHQ special indices regarding all the principals in their application for a court-approved electronic surveillance prior to the submission of same to FBIHQ.

FBIHQ is also receiving an increasing number of requests from the Department for electronic surveillance information on individuals appearing before Federal Grand Juries or defendants in criminal prosecutions. Therefore, it is imperative the special indices at FBIHQ contain the names of individuals who were monitored in conversations covered by our electronic surveillances and be current.

All SAC's are reminded of the necessity to handle the sources on a need-to-know basis in order to afford maximum security for this type of surveillance. Compliance with these instructions must be closely followed.

This matter was coordinated with
Intelligence Division.

RECOMMENDATION:

That the attached airtel to all offices be sent.

8/15/73

Airtel

To: SAC, Albany

From: Director, FBI

MICROPHONE AND TELEPHONE SURVEILLANCES

ReButel 10/5/66, and Buairtel 11/10/66, both captioned as above.

Recent procedural changes to create uniformity in electronic surveillance checks for the Department have eliminated "mentioned or discussed" references. This was the subject of discussion in Buairtel to all offices dated 8/13/69, captioned "Department Inquiries Concerning Electronic Surveillance Coverage."

In view of this it will no longer be necessary to submit cards for the Bureau's special indices containing names of individuals who were "mentioned or discussed" by others in the presence of our electronic surveillance sources.

This change does not in any way relieve your office of the responsibility to index electronic surveillance material in accordance with existing instructions.

2 - All Offices

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation

FROM : Johnnie M. Walters
Assistant Attorney General
Tax Division

DATE: AUG 5 1969

#m DR 16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/776

SUBJECT: Electronic Surveillance Disclosure Matters

Reference is made to your July 25, 1969, memorandum to the Attorney General noting that, in view of recent court decisions, the Criminal Division has amended its guidelines for use in checking the Bureau's electronic surveillance indices. You note that the Tax Division guidelines require checks of "mentioned or discussed" references whereas they are not required by the Criminal Division.

The Tax Division has reviewed this and determined that it no longer will require the "mentioned or discussed" references. We would like to have the information submitted in response to our future surveillance check requests conform to the guidelines of the Criminal Division, including the information relating to whether the individual checked had a proprietary interest in the premises surveilled.

We appreciate your calling this difference in procedure to our attention and we are happy to conform procedures in this way.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

cc: The Attorney General

8/13/69

Airtel

To: SAC, Albany

From: Director, FBI

DEPARTMENT INQUIRIES CONCERNING
ELECTRONIC SURVEILLANCE COVERAGE

ReBuairtel to SAC, Albany dated May 2, 1969, which furnished new guidelines for electronic surveillance checks conducted for the Criminal Division of the Department.

In view of a recent procedural change to create uniformity in electronic surveillance checks conducted for the Department, the Tax Division of the Department no longer requires "mentioned or discussed" references resulting from electronic surveillance checks. Effective immediately all electronic surveillance checks conducted at the request of the Tax Division will be in accordance with the guidelines set forth in Criminal Division memorandum dated April 16, 1969. This memorandum was furnished to all offices as an enclosure with Bureau airtel to SAC, Albany dated May 2, 1969.

Insure that all employees in your office handling electronic surveillance checks are made aware of this change.

2 - All Offices

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

7/31/69

Airtel

To: SAC, Newark (66-1356)

From: Director, FBI

ELECTRONIC SURVEILLANCE
UNDER TITLE III OF THE
OMNIBUS CRIME CONTROL AND
SAFE STREETS ACT OF 1968

#MDR16
10/24/00 SP2ALM 17TG

Reurairtel 7/15/69.

Your assumption to not include in the electronic surveillance indices fragments of names is correct since it would be virtually impossible to identify these names with the subjects of an electronic surveillance check.

The preparation of logs should include the names overheard by the monitoring personnel. These names should be indexed in the electronic surveillance indices and in the general office indices. In those instances where only a partial name such as "John" is recorded the forwarding of an index card should be held in abeyance until additional identifying data is developed.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

The Attorney General

July 25, 1950

Director, FBI

ELECTRONIC SURVEILLANCE DISCLOSURE MATTERS

#mdr16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP2 ALM/STG

This Bureau is presently conducting electronic surveillance checks for the Department in accordance with guidelines furnished by the Criminal and Tax Divisions of the Department.

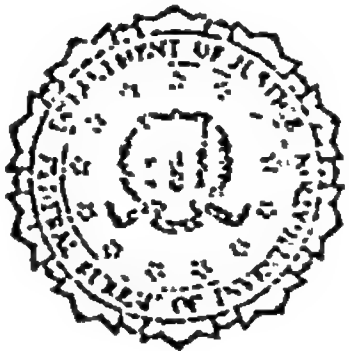
The Criminal Division and Tax Division guidelines with respect to monitored conversations require that the FBI furnish information where the individual being checked appears to be present at, or a participant in, conversation overheard in any electronic surveillance conducted by the FBI. Additionally, the Tax Division guidelines require instances where the individual was "mentioned or discussed" by others who were monitored by electronic surveillance.

If the present requirements of the Felix Alderisio and related decisions do not require the disclosure of "mentioned or discussed" references to subjects in electronic surveillance logs, it would appear that unnecessary time and effort are being utilized in compiling such information for the Tax Division.

In view of recent court decisions, the Criminal Division furnished amended guidelines requiring a check of our records to also determine if the individual being checked had proprietary interest in premises where our electronic surveillance coverage was maintained.

In order to establish uniformity in the matter of electronic surveillance checks being made for the Department, it is requested that the Department advise whether the "mentioned or discussed" references not now required by the Criminal Division should continue to receive consideration for Tax Division electronic surveillance checks. Further, please advise if this Bureau should also determine proprietary interest for requests received from the Tax Division as is done in Criminal Division requests.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

July 8, 1969

PERSONAL ATTENTION
SAC LETTER 69-37

#MDR/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP2 ALM/116

(A) INDEX SYSTEMS -- In an important case with great public interest, an individual was not identified because of the failure of an office to properly index a nickname.

Recent court decisions have resulted in the public disclosure of electronic surveillance logs and related material which heretofore were confidential. The information in these surveillance matters is being afforded close scrutiny by the news media, the general public, Federal, state, and local officials; therefore, the importance of proper indexing has become increasingly significant.

Each Special Agent in Charge will be held strictly responsible for insuring that all names, nicknames, and aliases appearing in electronic surveillance logs and related material are properly indexed in accordance with the instructions set forth in Part II, Section 3, page 4, of the Manual of Rules and Regulations.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

F B I

Date: 7/2/69 *owb*

Transmit the following in _____
(Type in plaintext or code)

Via Airtel _____
(Priority)

To: SAC, Albany - Enc.

From: Director, FBI

**ELECTRONIC SURVEILLANCE
UNDER TITLE III OF THE
OMNIBUS CRIME CONTROL AND
SAFE STREETS ACT OF 1968**

#MDR/b
1d24/00 *SP2ALM/STG*

Reference is made to previous correspondence to all field offices concerning the maintenance of special indices containing names of individuals who were monitored or mentioned by our electronic surveillances.

In view of the contemplated activity under the Omnibus Crime Control and Safe Streets Act of 1968 with regard to electronic surveillance, certain instructions are being set forth with regard to inclusion in special indices the names of individuals monitored, etc., by court approved orders for electronic surveillance under the above legislation.

It is desired that, during the tenure of any electronic surveillance approved under the new legislation referred to above, that the name of each individual who was directly covered, monitored or mentioned is to be included in the special indices at the Bureau and each field office maintaining the electronic surveillance. This is to be accomplished through the means of a 3" X 5" plain blue index size card containing the information as set forth in the sample card attached to this communication.

2 - All Offices - Enc.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Sent Via _____ M Per _____

Airtel to SAC Albany
Re: Electronic Surveillance

This system will enable each office to determine electronic surveillance coverage of individuals; as in the past, and the blue card will be easily recognizable as coverage under a court approved electronic surveillance. These cards are to be submitted to the attention of the Special Investigative Division, Criminal Intelligence and Organized Crime Section, each Friday in line with existing instructions.

You will note that, as to each individual on whom a card is prepared, the card must indicate whether or not the individual was the subject of direct coverage, a participant in conversation or mentioned by others who were monitored. Only one of the last three items on the index cards should be utilized.

The Bureau requires only one card in the special indices for an individual monitored or mentioned in conversation covered by an installation. If the individual was monitored or mentioned in conversation by more than one installation, a separate card must be submitted on each individual for each installation.

In the event an index card is forwarded, disclosing an individual was mentioned in a conversation covered by an electronic device and subsequently the individual is monitored by the same device, an appropriate index card revealing this coverage must be forwarded. It is not necessary to list all dates on which he was monitored by a particular source, only the first date.

Each source will be identified as to judicial district where the court order was approved followed by a number starting with number 1 for the first order, and each subsequent order receiving one number larger. In addition, the abbreviation for the office which obtained the court order should be utilized to identify the source (for example: AL NDNY 1).

You are reminded of the necessity to handle these sources on a strictly need-to-know basis in order to afford maximum security to this type of surveillance. Insure that appropriate administrative procedures are established for such handling.

Keep in mind that all electronic surveillance logs must be properly indexed in accordance with the instructions set forth in Part II, Section 3, page 4, of the Manual of Rules and Regulations.

NAME (LAST NAME FIRST)

Source

Bufile:

Direct Coverage - (Date)

Participant - (Date)

Mentioned - (Date)

#mde16
10/24/00 SP2 ALM LAG

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation

DATE:

April 16, 1969

FROM : Will Wilson
Assistant Attorney General
Criminal Division

SUBJECT: ELECTRONIC SURVEILLANCE
John Baborian et al.
Rhode Island - Maine

#mbr/6

10/24/69 SP-2 ALM/716

As you know, the decision of the Supreme Court on March 10, 1969, in Willie Israel Alderman, et al. v. United States expanded the concept of standing with respect to electronic surveillance and held that an individual has standing not only with respect to his own overheard conversations but also with respect to overhearings on premises in which he has a proprietary interest, even though he was not present at the time of the conversations. Because of this decision, it will be necessary in future requests for electronic surveillance information to ascertain whether or not there was coverage on premises in which the subject had a proprietary interest. Accordingly, it is requested that you advise as to each of the individuals on the attached list:

(a) Whether the named individual appears to be present at, or a participant in, conversations overheard in any electronic surveillance by your agency.

(b) Whether an electronic surveillance was conducted on any premises of which the named individual was the owner, lessee or licensee.

(c) If the individual or the premises of which the individual was owner, lessee or licensee was the subject of an electronic surveillance, did the surveillance consist of wiretapping or an electronic eavesdropping device.

(d) If the latter, please advise us of the method of entry utilized in the placement of the device.

(e) Was the information from any such device disseminated in any manner to any other agency. If so, when and to whom?

(f) Did the information from any such device appear directly or indirectly in any reports made in reference to the individual by your agency. If so, would you please advise us of the reports in which such information appeared and if the information was attributed to a "T" symbol, the designation of that symbol in the pertinent report.

If your records indicate that the individuals have used names other than those indicated, please check your electronic surveillance indices with respect to the additional names.

Att:cc

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

5/2/69

Airtel

To: SAC, Albany - Enc.

From: Director, FBI

DEPARTMENT INQUIRIES CONCERNING
ELECTRONIC SURVEILLANCE COVERAGE

Buairtel to SAC, Albany, January 12, 1967, with Exhibits A and B furnished guidelines for conducting electronic surveillance checks for the Tax and Criminal Divisions of the Department.

In view of the Supreme Court decision on March 10, 1969, in the Willie Israel Alderman case, the Criminal Division of the Department has revised some of the questions referred to the Bureau relative to individuals to be checked in our records for electronic surveillance coverage. A copy of a memorandum from the Criminal Division dated April 16, 1969, captioned "Electronic Surveillance, John Deborian et al., Rhode Island - Maine," is enclosed for each office containing a brief explanation of what will be required in future electronic surveillance checks. The significant change is contained in question (b) of the enclosed memorandum.

In future electronic surveillance requests from the Criminal Division in line with the April 16, 1969, memorandum, each office will be referred to this airtel and its enclosure as containing the guidelines to follow for the electronic surveillance check.

Each request for electronic surveillance information received by your office must be carefully searched through existing records to insure complete accuracy as to the coverage and related material.

Also, in each reply to the Bureau containing details of electronic surveillance coverage on individuals checked, the identity of the monitoring microphone must be included.

2 - All Offices - Enclosure

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

(E) ELECTRONIC SURVEILLANCES (ELSUR) -- In connection with electronic surveillances, you are reminded of the absolute necessity that true copies of the original logs be made in connection with the program of furnishing logs to the Department for possible use in court proceedings. There must be no deletions whatsoever of any type markings which appear on the original logs.

Very truly yours,

John Edgar Hoover

Director

10/24/60 SP2ALM/lsg
#mde16

This document is prepared in response to your request and is not for dissemination outside your Committee. It is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

7-1-69

SAC LETTER 69-36

- 4 -

6-12-68

Airtel

To: SAC, Albany

From: Director FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/ATG

DEPARTMENT INQUIRIES CONCERNING
ELECTRONIC SURVEILLANCE COVERAGE

ReBuairtel to SAC, Albany, 1-12-67 with Exhibits A and B which were guidelines for conducting electronic surveillance checks furnished by the Tax and Criminal Divisions of the Department.

The guidelines furnished by the Criminal Division were contained in Department letter dated 12-2-66 which is Exhibit B to referenced Bureau airtel. The Criminal Division of the Department has requested that paragraph H of their December 2, 1966, letter be deleted, and the following substituted therefore:

"If any information was obtained from electronic surveillance, to your knowledge was such information communicated in any manner to any other agency."

In all future requests received by each office to conduct an electronic surveillance check for the Criminal Division of the Department, you must insure the review of records is conducted to encompass the information set forth above. Insure the appropriate correction is made in the Criminal Division guidelines as furnished by Bureau airtel dated January 12, 1967, as described above.

2 - All Other Offices

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

June 3 1968

TO : Director
Federal Bureau of Investigation.

DATE:

FROM : Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

SUBJECT: ELECTRONIC SURVEILLANCE
December 2, 1966 Memorandum

#mor 16
10/24/00 SP-2 ALM /JTG

Reference is made to my memorandum of December 2, 1966, concerning electronic surveillance. It is requested that in lieu of paragraph (h) the following be substituted:

If any information was obtained from electronic surveillance, to your knowledge was such information communicated in any manner to any other agency.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

March 29, 1957

Airtel

To: SAC, Albany

From: Director, FBI

ELSUR

In order to expedite handling of mail with regard to ELSUR matters, all offices are requested in future communications to the Bureau to mention the name of one individual about whom the Attorney General has inquired, in their replies.

2 - All Other Offices

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

March 13, 1967

Airtel

To: SAC, Albany

From: Director, FBI

DEPARTMENT INQUIRIES
CONCERNING ELECTRONIC
SURVEILLANCE COVERAGE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/HG

Re Bureau airtel January 12, 1967.

To save transcription time and communications costs, all communications handling captioned inquiries, necessitating review of special electronic indices and other appropriate records, are to be captioned with code word "JUNE," and carry Bureau file 62-313, the control file in this project. In addition, you are to insure that any communication under a substantive or intelligence case caption, dealing with captioned inquiries, has a copy designated for Bureau file 62-313.

In view of questions which have arisen regarding the use of the "June" classification in connection with these communications, the following guidelines are being furnished:

Communications which merely make inquiry to determine whether certain individuals have been covered by electronic surveillance, and contain no positive data identifying the individual with an electronic surveillance, or discuss the results thereof, will not be designated "June." Communications which reply to Bureau inquiries regarding such coverage, where the response is negative, would fall in this category.

Any communication which identifies an individual or individuals with electronic coverage by this Bureau, or which discusses the results of an electronic surveillance, or the circumstances under which such a surveillance was established, maintained or discontinued, are to carry the "June" designation.

2-All Other Offices

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

Memorandum

JUNE

TO : Mr. Tavel

DATE: 2-9-67

FROM : L. E. Short

SUBJECT: DEPARTMENT OF JUSTICE REQUESTS
FOR ELECTRONIC SURVEILLANCE
CHECKS (62-318)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP2 ALM/STG

As you are aware, Department is submitting by letter to Bureau names of individuals presently being prosecuted or being considered for prosecution in all types of cases with request they be advised if any of these individuals have been involved in any electronic surveillances. Indications are that there will be thousands of such requests received. These names are checked through special indices maintained in Special Investigative Division (SID) and Domestic Intelligence Division (DID), and Department is advised by letter of results. SID is co-ordinating program, but some correspondence will be prepared by DID and General Investigative Division if substantive cases supervised by them involved. If any record is located, Field Office where surveillance occurred is requested to furnish pertinent logs which are subsequently transmitted to Department.

With representatives of SID, where majority of correspondence will be handled, we have worked out mechanics of processing and filing record material. Purpose of this memorandum is to set forth these details.

A control file has been opened entitled, "Department of Justice Requests for Electronic Surveillance Checks" (62-318). All requests from Department will be filed in this file. Outgoing answers to Department will also be filed in this file unless subject of communication is subject of a Bureau investigation in which case original will be filed in substantive file and copy in control file. On any communications from Field relating to substantive file, copy

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum Short to Tavel
RE: Department of Justice Request
for Electronic Surveillance
Checks

will also be placed in control file. Supervisors preparing correspondence should prepare extra copy specifically designed for control file when correspondence relates to substantive case.

As set forth above, if subject of communication is subject of a Bureau investigation communication will be filed in case file with copy in control file, and no indexing will be necessary. If subject of communication is not subject of Bureau case, but voice was recorded incidental to electronic-surveillance in one of our cases and we are furnishing Department positive information, communication will be filed in control file and name of subject will be indexed. We will not index names of individuals on which no record is located similar to procedure followed in handling Bureau's name check program. Communications relating to these negative checks will be filed in control file.

In order to appropriately cover necessary files, uniformity of caption of communications is most desirable. On outgoing communications to Field and Department, "Electronic Surveillance Check" should be in caption to facilitate classifying material. If Bureau case is involved, subject of case should also be part of caption with sufficient copies to cover both case file and control file.

When Bureau has record on name check, Field is requested to send in logs and copies are hand-delivered to Department. Departmental official receiving logs is required to sign receipt which should be attached to related outgoing yellow for filing purposes by Supervisor preparing outgoing communication. Supervisor should prepare sufficient copies of receipt appropriately designated for substantive files in which electronic surveillances were conducted.

Memorandum Short to Tavel

RE: Department of Justice Request
for Electronic Surveillance
Checks (62-318)

RECOMMENDATION:

That this memorandum be referred to Special Investigative, Domestic Intelligence, and General Investigative Divisions for information and dissemination to appropriate supervisory personnel for their assistance in handling material relating to these checks.

OFFICIAL USE ONLY

November 2, 1966

#MDR/6

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/29/00 BY SP-2 ALM/ATG

TO : Director
Federal Bureau of Investigation
(Commissioner, Bureau of Narcotics, etc.)

FROM : Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

SUBJECT : John Doe, 123 Fourth Street, Jersey City, New Jersey,
FBI #123456 (any other appropriate identifying data)

We anticipate that John Doe will be indicted in the near future on a charge of _____.

Would you please advise us:

- (a) Whether the above-named individual was subject to electronic surveillance by your agency.
- (b) If he was, did the electronic surveillance consist of wiretapping or an electronic eavesdropping device.
- (c) If the latter, please advise us of the method of entry utilized in the placement of the device.
- (d) When, by date, did the electronic eavesdropping take place and where did it occur, that is, at his home, office or other location.
- (e) Whether the named individual appears to be present at, or a participant in, conversations overheard by any electronic device which are reflected in any recordings, transcripts, logs, notes, memoranda or other records of any such device.
- (f) If so, and if such recordings, transcripts, logs, notes, memoranda or other records still exist, would you please make them available to us.
- (g) Did the information from any such device appear directly or indirectly in reports made in reference to the above individual by your agency. If so, would you please advise us of the reports in which such information appeared and furnish us with copies of these reports if you have not already done so.

This document is prepared in response to your request and is not for dissemination outside your Committee. It is use limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

(h) [To the FBI in reference to an IRS case] If any information was obtained from electronic surveillance, to your knowledge was such information communicated in any manner to the Internal Revenue Service.

(i) [same as (h) above] If so, to whom was the communication made, when was it made, and what is the nature of the information communicated.

[Naturally, if you are aware that there is evidence in the case obtained by a Goldman or Rathbun type eavesdropping device, you should make reference to your knowledge of it and except it from the inquiry.]

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation

DATE: October 24, 1966

FROM: Mitchell Rogovin
Assistant Attorney General
Tax Division

#m 9 A 16

10/24/66

SP-2 ALM 17 16

SUBJECT: Organized Crime and Racketeering cases
pending in the Tax Division.

As has been discussed with Mr. DeLoach, we are anxious to obtain information regarding the possibility that tainted evidence has inadvertently been used by us in the prosecution of criminal tax cases, or exists in cases currently being considered by us for prosecution. Under the assumption that if this exists at all, Organized Crime and Racketeering cases are the most likely source, the attached list relates to criminal cases pending in the Tax Division which appear to be Organized Crime Drive matters. Some of these matters are currently under consideration as to whether prosecution should be undertaken; some have been referred to the United States Attorneys for prosecutive action; some are the subjects of indictments, and a few are pending on appeal.

It is requested that the names on the attached list be checked against the indices which you have set up in relation to electronic listening devices and you advise this office as soon as possible whether any name on this list appears on your indices.

I. We wish to know:

- a) whether the named defendant shows up in your indices;
- b) whether he was the direct subject of electronic surveillance; and
- c) whether he appears on any recordings, transcripts, logs, notes, memoranda, or other records as a participant in conversations overheard or as a person mentioned or discussed.

This document is prepared in response to your request and is not for dissemination outside your Committee. It is use it related to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the approval of the FBI.

II. If an individual's name on our list is found in your indices, we would like to be advised:

- a) if a record, transcript, log, notes, memoranda, or report of the conversation exists;
- b) the nature of the surveillance involved, the duration of the surveillance, and
- c) if any of such records are in existence that they all be made available to us.

III. If any information was obtained from electronic surveillance, to your knowledge was such information communicated in any manner to the Internal Revenue Service?

- a) If so, to whom was the communication made; when was it made, and what is the nature of the information communicated?

These matters are under the jurisdiction of the Criminal Section of the Tax Division and any questions relating to the foregoing requests can be directed to me, to Mr. Richard M. Roberts, Second Assistant, Tax Division, or Mr. Fred G. Folsom, Chief of our Criminal Section. Mr. Roberts and Mr. Folsom are designated as attorneys who may receive the information and records requested in this memorandum.

Attachments

Approved: .

Ramsey Clark
Ramsey Clark
Acting Attorney General

The Director
Federal Bureau of Investigation

December 2, 1969

Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

#MOR/b

10/24/60

S P 2 ALM / Hg

Electronic Surveillance Information Requests

It will become necessary to direct an increasing number of requests to your Bureau to determine whether named subjects and defendants participated in or were present at conversations overheard by any electronic devices. Our previous memoranda have repeated the categories of information requested. In order to obviate the necessity of repeating this list of categories in the future I am enclosing a sample memorandum setting forth the items of information required in all such requests. Henceforth all future memoranda from this Division will refer to this sample memorandum to describe the scope of the information requested.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ENCLOSURE

1/12/67

Airtel

#M DE/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/24/00 BY SP-2 ALM/76

To: SACs, Albany - Enc. (2)
Albuquerque - Enc. (2)
Anchorage - Enc. (2)
Atlanta - Enc. (2)
Baltimore - Enc. (2)

Birmingham - Enc. (2)
Boston - Enc. (2)
Buffalo - Enc. (2)
Butte - Enc. (2)
Charlotte - Enc. (2)

From: Director, FBI

DEPARTMENT INQUIRIES CONCERNING
ELECTRONIC SURVEILLANCE COVERAGE

The Department of Justice, pursuant to their program to check names of individuals under prosecution or being considered for prosecution, or already convicted and incarcerated after Federal prosecution, to determine if these individuals were involved in any electronic surveillance conducted by this Bureau, is submitting requests to the Bureau by letter.

These requests are being received primarily from the Department's Tax Division and Criminal Division, and each require answers to guidelines previously submitted that differ in the nature of response necessary. Guidelines for response to inquiries from the Tax Division are set forth in Department letter dated 10/24/66, captioned, "Organized Crime and Racketeering Cases Pending In The Tax Division," a copy of which is enclosed and will hereafter be referred to as Exhibit A.

The inquiries originating in the Criminal Division are to be answered in accordance with the guidelines as set forth in Department letter dated 12/2/66 captioned, "Electronic Surveillance Information Requests," and its attachment dated 11/2/66, copies of which are enclosed and will hereafter be referred to as Exhibit B.

This document is prepared in response to your request and is not for dissemination outside your Committee. It is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Airtel to Albany

Re: Department Inquiries Concerning
Electronic Surveillance Coverage

Instructions emanating from the Bureau in seeking response to future Department inquiries pertaining to this subject matter will direct the field to respond in accordance with the guidelines of either Exhibit A or Exhibit B. Your response must be in accordance with instructions to facilitate the Bureau's response to the Department and to insure compliance with their specific inquiry.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. C. D. DeLoach

DATE: January 11, 1967

FROM : J. H. Gale and W. C. Sullivan

JUNE

SUBJECT: SPECIAL INDICES OF ELECTRONIC SURVEILLANCES

#MDR/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/716

PURPOSE:

The Special Investigative Division and the Domestic Intelligence Division are maintaining separate special indices of individuals monitored or mentioned through microphone or telephone surveillances. Those of the Special Investigative Division contain names obtained through coverage of criminal matters. Those of the Domestic Intelligence Division contain names obtained through coverage of internal security matters. The purpose of this memorandum is to recommend that these two special indices be consolidated and operated by the Files and Communications Division.

BACKGROUND:

In accordance with the Director's instructions, special indices were established in October, 1966, because of the Department's insistence that the Bureau provide a rapid determination as to whether any given person subject to prosecution was overheard, present, or referred to in the course of a conversation covered by electronic devices. Based on available information at that time from the Department that there would be selective cases to be reviewed, it was determined to be most logical that two separate indices be established, one to cover criminal matters and the other security matters. Subsequently, the Solicitor General publicly disclosed that an extensive review would be made on past and pending cases to determine if evidence had been used from electronic devices and the Department requests that all names be searched through both the criminal and security files. This completely changed all aspects of the operation of these indices and the amount of work involved, particularly when the Department began submitting not only names of persons subject to prosecution but names of attorneys involved and associates of the subjects.

CURRENT STATUS:

There are approximately 60,000 cards of the special indices in the Special Investigative Division and approximately

CONTINUED - OVER

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Memorandum to Mr. C. D. DeLoach
RE: SPECIAL INDICES OF ELECTRONIC SURVEILLANCES
66-5815

200,000 cards of the special indices in the Domestic Intelligence Division. Furthermore, because of the telephone surveillances currently in operation in the security field, approximately 300 new cards are being received weekly in the Domestic Intelligence Division.

CURRENT OPERATION OF SPECIAL INDICES:

Since the special indices were established in October, 1966, the Department has submitted approximately 1,000 names for searching. Each name is searched through both of these special indices. There is attached a sample of the form being used requesting searches and a copy of three cards from the special indices.

The Department has indicated that in the immediate future it contemplates asking the Bureau to check as many as 25,000 names through the special indices. Without a doubt, all future cases involving prosecution will require search of these indices.

OBSERVATIONS:

The position adopted by the Department in these matters makes it impossible for us to maintain these indices separately as originally established. The checking of these indices would have imposed no great burden on either the Domestic Intelligence Division or the Special Investigative Division had the Department followed a logical and reasonable course in the submission of names of persons to be checked in connection with a particular criminal or security prosecution. But as matters now stand, these separate indices should be consolidated to avoid duplication of effort in checking the same names through each as we now must do to comply with the Department's requests. Both Divisions are in agreement on this point.

Consolidation of the indices into one raises the question of where it should be maintained. We believe the consolidated indices should be maintained by the Files and Communications Division. There is no reason for it to be maintained either by the Domestic Intelligence Division or the Special Investigative Division.

The maintenance of this indices and the search functions involved fall logically within the normal operations and responsibilities of the Files and Communications Division and can be carried out in the most efficient manner by that Division.

Memorandum to Mr. C. D. DeLoach
RE: SPECIAL INDICES OF ELECTRONIC SURVEILLANCES
66-5815

RECOMMENDATION:

It is recommended that the special indices under discussion of the Domestic Intelligence Division and the Special Investigative Division be turned over to the Files and Communications Division and be maintained and searched by that Division.

ADDENDUM: W.S.TAVEL FILES & COMMUNICATIONS DIVISION 1-16-67

I am opposed to the maintenance of this index being shifted to the Files and Communications Division. It would not save personnel, since this division is expending every effort to keep up with the greatly increased volume of other types of name checks and could not absorb an additional 25,000 or more with existing personnel. This index has no relation to the Bureau's master index, and must be maintained separately since the cards contain little or no identifying

(Addendum continued page 5)

Addendum to memo C. D. DeLoach
Re: Special Indices of Electronic Surveillances

ADDENDUM: Continued

data. For this reason, each check where possible identity is established necessitates correspondence with the field, which must be handled by the substantive supervisor. Since the cards disclose names of all persons mentioned in technical surveillance logs, it would appear essential to limit the number of employees having access, to keep to a minimum those who might be subpoenaed to testify concerning these matters. We do not have room or personnel in our special file room to operate such an index, and since this room is in the Identification Building, moving it there would only serve to further remove it from the supervisors handling it, who now have immediate access. It is similar to other specialized indices now maintained by substantive divisions, such as the Fugitive Index, Security Index, index of library cards on communist material, etc., which serve a specific purpose and are most efficiently operated by the divisions using them.

11/10/66

#mD R/b

Airtel

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/276

To: SACs, Albany	Denver	Miami	Richmond
Albuquerque	Detroit	Milwaukee	St. Louis
Atlanta	Houston	Minneapolis	San Antonio
Baltimore	Indianapolis	Newark	San Diego
Birmingham	Jackson	New Haven	San Francisco
Boston	Jacksonville	New Orleans	San Juan
Buffalo	Kansas City	New York City	Savannah
Charlotte	Las Vegas	Norfolk	Seattle
Chicago	Little Rock	Oklahoma City	Springfield
Cincinnati	Los Angeles	Philadelphia	Tampa
Cleveland	Louisville	Phoenix	Washington Field
Dallas	Memphis	Pittsburgh	

From: Director, FBI

MICROPHONE AND TELEPHONE SURVEILLANCES

ReButel 10/5/66 and Buairtel 10/21/66.

In connection with problems arising out of past electronic surveillance coverage of individuals now under prosecution, or against whom prosecution is being contemplated, the Department made a general request that we establish a means of quickly enabling a check to determine if we have monitored the voices of an individual in question by electronic surveillance. In line with the Department's requirements, appropriate instructions were issued in referenced communications.

Since the issuance of the original instructions, the Department has broadened its request for a review of this index and now desires to know also if the individual of prosecutive interest in question appears in our records as a person mentioned or discussed in monitored conversations, though not himself necessarily a participant in such conversations. Therefore, it

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Airtel to Albany

Re: Microphone and Telephone Surveillances

will be necessary that you submit cards also on all individuals in this latter category, that is, those individuals who are mentioned or discussed in monitored conversations, though such individuals may never have appeared personally before any of our electronic surveillances.

In completing this phase of the project, offices must use a certain amount of common sense in recording names in this category inasmuch as there are literally thousands of instances in which a subject covered engages in completely inconsequential conversations in which he may mention the name of a third party. Examples of this would be a subject engaging in conversations in which he mentions the name of a merchant or a serviceman with regard to handling his dry cleaning, running an errand, or getting his car washed. Where a name is mentioned in this way, no purpose is served by including it in this index. Where any doubt arises, it should be resolved in favor of including the name in question in the index.

This additional phase of the project should be completed by 12/15/63.

The instructions issued to the United States Attorneys by the Acting Attorney General are as follows:

"You will recall that in May 1966 the Department advised the Supreme Court of facts relating to the case of Black v. United States, October Term, 1965, No. 1029. Its memorandum in that case stated in pertinent part:

'Notwithstanding the Department of Justice's conclusion that the monitoring of conversations between petitioner and his attorney had no effect upon his conviction or the fairness of his trial, we have no doubt that in the circumstances outlined above petitioner is entitled to a judicial determination. We also recognize that petitioner has standing to raise, in a district court, the question whether other conversations (i. e., conversations not involving an attorney-client relationship)

which were overheard as a result of the listening device installed in his suite furnished any leads or evidence in his case. At an appropriate hearing, the government proposes to submit all of the facts upon which a full judicial determination can be made.'

"This Department must never proceed with any investigation or case which includes evidence illegally obtained or the fruits of that evidence. No investigation or case of that character shall go forward until such evidence and all of its fruits have been purged and we are in a position to assure ourselves and the court that there is no taint or unfairness. We must, also, scrupulously avoid any situation in which an intrusion into a confidential relationship would deny a fair hearing to a defendant or person under investigation.

"For this reason we are in the process of requesting each investigative agency concerned to review its files in order to determine whether there has been wiretapping or electronic surveillance touching a particular case or matter. We are making a similar review of cases and matters pending in the Department. You will be informed immediately whenever a case or matter in your office is found to fall in this category.

"Many matters are referred directly to your offices by the investigating agencies. Special attention must be given to these. But, it is imperative that you and your assistants make every effort to ascertain whether any cases, now pending or hereafter received, present the problem of wiretapping or electronic surveillance. No single means of checking is infallible but you should keep in mind that the same person or matter may have been investigated by several Federal or State agencies and the information supplied to you may in fact come from more than one source. You should be particularly attentive to those cases which involve, directly or indirectly, hard core elements of organized crime.

"It is, of course, the very rare case--one out of thousands--in which you will encounter the problem to which this memorandum is addressed. The problem will arise in cases in which some investigation was conducted prior to July, 1965. Present practice, adopted in July 1965 in conformity with the policies declared by President Johnson on

June 30, 1965, for the entire Federal establishment, prohibits the installation of listening devices in private areas (as well as the interception of telephone and other wire communications) in all instances other than those involving the collection of intelligence affecting the national security. The specific authorization of the Attorney General must be obtained in each instance when this exception is invoked. Intelligence data so collected will not be available for investigative or litigative purposes.

"If you have any reason whatever to believe that there has been wiretapping or electronic surveillance touching a particular case, you should immediately notify Mr. J. Walter Yeagley, Assistant Attorney General, Internal Security Division, so that further inquiry may be pursued by the Department."

immediately notify Mr. J. Walter Yeagley, Assistant Attorney General, Internal Security Division.

With reference to this subject matter the Bureau is currently handling numerous requests from the Department to check the names of various subjects against the special indices set up at the Bureau on all persons who have been subject of any FBI electronic surveillance. It is expected that any cases questioned by the United States Attorneys and referred to Mr. Yeagley will be given the same examination on the request of the Department.

Although instructions to the United States Attorneys by the Acting Attorney General do not specifically require contact with the various investigative agencies at the field level, it is quite likely that some of our field offices will receive inquiries from the United States Attorneys. In case such inquiries are received by field offices requesting that information obtained from electronic surveillances be furnished, the Bureau should be immediately advised of the request and all pertinent details. No response should be made to the United States Attorneys in such instances without prior Bureau authorization. This procedure is necessary in view of the possibility that the subject of a case may have been in some way covered by an electronic surveillance in a field office not participating in investigation of the prosecutive case in question.

#MDR/6
10/24/00 SP-2AM/198

11/15/66
SAC LETTER 66-72

(G) TECHNICAL AND MICROPHONE SURVEILLANCES -- USE OF INFORMATION FROM ELECTRONIC DEVICES IN CRIMINAL PROSECUTIONS -- The Acting Attorney General by memorandum 493 dated November 3, 1966, has transmitted to all United States Attorneys instructions to be alert as to each prosecutive case for evidence that might be tainted because of the use of electronic devices during the investigation. The instructions require that in the event the United States Attorney believes that there has been wire tapping or other electronic surveillance touching a particular case, he is required to

11/15/66
SAC LETTER 66-72

- 6 -

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: November 10, 1966

FROM : J. H. Gale

SUBJECT: MICROPHONE AND TELEPHONE SURVEILLANCES

In connection with problems arising out of past electronic surveillance coverage of individuals now under prosecution, or against whom prosecution is being contemplated, the Department, as you know, made a general request that we establish an "early warning system" in the form of an index or other administrative device to enable a check to be made to determine if we have so monitored the voices of such individuals. The Department was advised that we had such a system in operation.

In line with the Department's requirements, this index, which is now in operation, is made up of names of individuals whose voices were monitored by microphone surveillances, technical surveillances, or other similar electronic listening devices since January, 1960.

As you know, the Department has recently forwarded a list of 151 names of individuals currently of prosecutive interest in the Tax Division, with a request that these names be checked through our index to determine if they were the subjects of direct electronic surveillance coverage; whether an individual in question appears on any records, logs, notes, memoranda, et cetera, either as a participant in conversations overheard, or as a person mentioned or discussed.

This new and belated category introduced by the Tax Division will require additional work on the part of the field in order that references in this category can be added to the names already included in the index so as to answer any future inquiries from the Tax Division. It should be noted that the Criminal Division has never required any information concerning the names of persons mentioned in microphone logs and has always satisfied themselves with information concerning those whose conversations were actually recorded. This new request appears to

Enc.

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CONTINUED - OVER

Memorandum to Mr. DeLoach
Re: Microphone and Telephone Surveillances

be an additional example of the Tax Division going far beyond what is required by the courts or even by another division of the Department. Nevertheless, in order to answer any inquiries along this line with the dispatch desired, it will be necessary to include in our index the names of persons mentioned in microphone logs.

Attached is a communication to the field divisions involved, alerting those offices to this additional requirement on the part of the Tax Division and instructing those offices to prepare index cards on individuals who are mentioned in monitored conversations.

The field is being instructed to use a certain amount of common sense in recording names in this category inasmuch as there are literally thousands of instances in which a subject covered engages in completely inconsequential conversations in which he may mention the name of a third party. Examples of this would be instructions to a maid or servant to get in touch with a particular merchant or serviceman to handle menial errands such as handling dry cleaning, getting a car washed and like situations. Where a name is mentioned in this way, no purpose is served by including it in this index. We are, of course, following the Director's instructions in connection with furnishing everything of possible pertinence to the Department and allowing Department personnel, not FBI personnel, determine if it is relevant.

ACTION:

Attached for your approval is an airtel to offices involved in the compilation of this index, instructing that cards also be prepared on all individuals who are mentioned or discussed in monitored conversations, except those in the completely inconsequential category cited above, in addition to names of individuals already being included as those whose voices have been monitored.

10/21/66

Airtel

To: All SACs

From: Director FBI

MICROPHONE AND TELEPHONE SURVEILLANCES

ReButel of 10/5/66 instructing that the Bureau be furnished index cards containing certain information, such as names of all individuals whose voices have been monitored since 1/1/60 through microphone installations or telephone surveillances.

It has been noted that several of the offices which have submitted cards failed to set forth on the card the name of the office involved. Offices receiving this communication make certain that the office is identified on each card.

In the event you find that retention of a duplicate card may be of value to your office, you are authorized to establish an indices of such cards. It is to be noted such an indices would be a means of ready reference to those offices which have currently in use telephone surveillances, since names of individuals monitored in the future can be checked against cards in your possession to determine if the Bureau has been previously furnished a card.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI .

10/5/63

CODE

TELETYPE

TO ALL SACS EXCEPT ARCHITECT KNOXVILLE
LITTLE ROCK MOBILE
COLUMBIA OHAMA
EL PASO PORTLAND
HONOLULU SALT LAKE CITY

FROM DIRECTOR FBI

MECROPHONE AND TELEPHONE SURVEILLANCES

EACH OFFICE SUBMIT TO BUREAU BY OCTOBER THIRTY-ONE, NEXT, NAMES OF ALL INDIVIDUALS WHOSE VOICES HAVE BEEN MONITORED THROUGH A MECROPHONE INSTALLATION OR A TELEPHONE SURVEILLANCE OPERATED BY THE OFFICE ANYTIME SINCE JANUARY ONE, ONE NINE SIX ZERO. THESE INCLUDE MONITORING BY ALL TYPES OF ELECTRONIC DEVICES SUCH AS THOSE CARRIED ON A PERSON OR IN A CAR. NAMES ARE NOT TO BE LIMITED TO SUBJECTS OF INSTANT SURVEILLANCE BUT ARE TO INCLUDE ANY AND ALL INDIVIDUALS WHOSE CONVERSATIONS, HOWEVER SLIGHT, WERE MONITORED.

IN ORDER TO MAKE CERTAIN THAT EVERY INDIVIDUAL'S NAME IS SUBMITTED TO THE BUREAU. A REVIEW OF ALL SUCH MECROPHONE

This document is prepared in response to your request and is not for dissemination outside your Committee. It is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

TELETYPE TO ALL SACS EXCEPT AN, ET, CO, EP, HN, EK, HO, OM,
PD, AND SU
MICROPHONE AND TELEPHONE SURVEILLANCES

AND TELEPHONE SURVEILLANCE LOGS AND RECORDS MUST BE MADE.
THEREAFTER, A THREE BY FIVE CARD MUST BE PREPARED ON EACH
INDIVIDUAL WHOSE VOICE WAS MONITORED. IN ADDITION TO THE NAME
OF THE INDIVIDUAL, THE CARD MUST SHOW, BEGINNING WITH JANUARY ONE,
ONE NINE SIX ZERO, THE INITIAL DATE HIS VOICE WAS MONITORED AND
THE IDENTITY OF THE SUBJECT ON WHOM THE INSTALLATION WAS PLACED BY OFFICE
IF AN INDIVIDUAL'S VOICE WAS MONITORED ON MORE THAN ONE OCCASION
THROUGH A PARTICULAR INSTALLATION, ONLY ONE CARD NEED BE SUBMITTED
IDENTIFYING THE INDIVIDUAL AND THE INSTALLATION. HOWEVER, IF HIS
VOICE WAS MONITORED THROUGH MORE THAN ONE INSTALLATION, A SEPARATE
CARD MUST BE SUBMITTED IDENTIFYING EACH SEPARATE INSTALLATION.
THOSE CASES PERTAINING TO CRIMINAL INVESTIGATIONS SHOULD BE SENT
ATTENTION OF ASSISTANT DIRECTOR J. H. GALE AND ALL OTHERS TO
ATTENTION OF ASSISTANT DIRECTOR W. C. SULLIVAN.

ADVISE BUREAU BY AIRTEL ON EACH FRIDAY PROGRESS BEING MADE
AND ESTIMATE OF TIME TO COMPLETE. THEREAFTER, OFFICES HAVING
CURRENT TELEPHONE AND MICROPHONE SURVEILLANCES, SUBMIT TO THE
BUREAU EACH FRIDAY NAMES OF ADDITIONAL INDIVIDUALS MONITORED.

UNITED STATES GOVERNMENT

Memorandum

TO : C. D. DeLoach

DATE: 10/4/66

FROM : W. C. Sullivan

SUBJECT: MICROPHONE AND TELEPHONE
SURVEILLANCES

#INDEX
10/24/00
SP2 ALM/ATG

In accordance with the Director's instructions, there is attached a teletype to all field offices which have had microphone and telephone surveillances at any time since January, 1960.

The teletype instructs that by 10/31/66, each office is to transmit to the Bureau names of all individuals whose voices have been monitored through a microphone installation or through a telephone surveillance operated by the office at any time since 1/1/60. These include all types of electronic devices such as those carried on a person or in a car. The review is not to be limited to subjects of instant surveillance but is to include any and all individuals whose conversations, however slight, were monitored.

In order to make certain that every individual's name is submitted to the Bureau, field offices are being instructed to review all microphone and telephone surveillance logs and records. Thereafter, a 3 by 5 card must be prepared on each person whose voice was monitored. The cards will show the name of the individual monitored, the initial date of monitoring, and the identity of the subject on whom the installation was placed, plus identity of the office.

If a voice was monitored through a particular installation on more than one occasion, only one card need be submitted; however, if the voice was monitored through more than one installation, a separate card must be submitted identifying each installation. Those pertaining to criminal investigations will be sent to the attention of Assistant Director J. H. Gale and all others to me.

Each office is to advise the Bureau by airtel every Friday the progress being made and the estimated time of

This document is prepared in response to your request and is not for dissemination outside your Committee. It is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum to Mr. DeLoach
Re: MICROPHONE AND TELEPHONE
SURVEILLANCES

completion. Thereafter, offices having current telephone and microphone surveillances will submit to the Bureau each Friday names of additional individuals monitored.

This matter will be closely followed and you will be advised of progress being made to complete this project by 10/31/66.

RECOMMENDATION:

The attached teletype be sent to all offices having had microphone or telephone surveillances since 1/1/60.

The Attorney General

October 3, 1966

Director, FBI

ELECTRONIC DEVICES

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/00 BY SP-2 ALM/H16

This will acknowledge Assistant Attorney General Vinson's memorandum of September 30, 1966, wherein he requested information with respect to the maintenance of Bureau indices which will permit a determination as to whether persons of interest to the Department were subject of the Bureau's electronic coverage.

With respect to Mr. Vinson's inquiry, it is pointed out that the maintenance of these indices is a mechanical and clerical function which it is not felt is particularly germane to the Department's purposes. It is believed sufficient to know that upon receiving a request, the Bureau will in a reasonable length of time be able to provide the Department with information as to whether or not a given person was overheard, was present or was referred to in any conversation covered by one of the Bureau's devices.

May I again suggest that Mr. Vinson feel free to contact Mr. DeLoach in the event any discussion is desired relative to this matter.

1 - The Deputy Attorney General

1 - Mr. Fred M. Vinson, Jr.
Assistant Attorney General

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

CONFIDENTIAL

TO : Director
Federal Bureau of Investigation

DATE: SEP 30 1965

FROM: *ni* Fred M. Vinson, Jr.
Assistant Attorney General
Criminal DivisionSUBJECT: Electronic DevicesALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-00 BY SP2 RLM/STG

This is in reference to your memorandum of September 28 to the Attorney General concerning information developed through electronic surveillance devices. I am pleased to learn that the Bureau maintains indices on such information which will be available to Department attorneys. However, to make effective use of such records, I believe we should know how any such index is constituted. Specifically, it would be helpful to know whether or not there is a central index which will permit a rapid determination as to whether any given person was overheard, present, or referred to in the course of a conversation.

I assume that in all cases investigated by the Bureau you will advise the appropriate Division of the Department as early as possible concerning information derived from an electronic surveillance bearing on the case or any person involved in that case. We would, of course, propose to set up machinery to advise the Bureau promptly of our interest in any case which is being investigated by another agency.

We look forward to a discussion of the general problem with Mr. DeLoach, but feel that such a discussion will be more fruitful after we understand the nature and extent of your index system and can evaluate its impact on our operations.

Thank you for your cooperation.

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

CONFIDENTIAL

The Attorney General

September 28, 1966

Director, FBI

#MDR 16

ELECTRONIC DEVICES

10/24/00 SP-2 ALM/278

This will acknowledge receipt of the letter from Assistant Attorney General Vinson dated September 27, 1966, wherein he suggests that it may be advisable for this Bureau to maintain appropriate indices with respect to electronic surveillances and materials derived therefrom. Such indices are already in existence.

With reference to the observation concerning early advice of any electronic device in cases being prepared for prosecution, it should be noted that we are not aware at all times of all cases falling into this category. It would appear, therefore, incumbent on the Department, particularly in tax cases involving organized crime figures, to notify us of those matters which may be under consideration as to prosecution. If, in such matters, you will notify us of any intent as to prosecution, we will be happy to immediately furnish you with any pertinent information.

In the event you desire a Departmental representative to contact the Bureau concerning this matter, please feel free to communicate with Mr. DeLoach who is in a position to discuss this matter.

EXCISIONS MADE DUE TO PRIVACY CONSIDERATIONS

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: September 27, 1966

FROM : J. H. Gale

SUBJECT: ELECTRONIC DEVICES

#MDE/6
10/24/00 SP-2 ALM/216

In the attached memorandum from Fred M. Vinson, Jr. Assistant Attorney General, Criminal Division, dated September 27, 1966, Vinson suggests it may be necessary and desirable for the Bureau to setup indices of individuals who may have been covered by electronic devices and who may be under consideration for prosecutive action.

The Director has instructed that Vinson be told that such an indices is already in operation and that if he feels the need to consult with any Bureau officials, Mr. DeLoach has been designated to handle the contact. The Director also inquired as to whether the statements in Vinson's letter to the effect that a gambling case had been closed because of prior electronic coverage were correct.

[EXCISIONS MADE DUE TO PRIVACY CONSIDERATIONS]

With reference to other statements made in Vinson's letter, we have made available to the Department, wherever requested, pertinent logs of our former confidential coverage. Our indices are adequate to handle any further contact by the Department in this regard. We are so advising Vinson in the attached letter to the Attorney General.

ACTION:

There is attached for approval a letter to the Attorney General with copies to Vinson and to the Deputy Attorney General pointing out we have appropriate indices in operation; indicating

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum to Mr. DeLoach
Re: Electronic Devices

that we are not always aware of cases in which the Department may have a prosecutive interest; suggesting that the Department should check with us whenever they contemplate prosecutive activity, particularly in tax cases involving organized crime figures and informing the Department that if they desire to further discuss this matter, Mr. DeLoach of the Bureau will be in a position to handle such contacts.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

CONFIDENTIAL

#m0216
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP-2 ALM/STG

TO : Director
Federal Bureau of Investigation

DATE: SEP 27 1966

FROM : Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

SUBJECT: Electronic Devices

In recent months the Department has been confronted with serious problems concerning the prospective or continued prosecution of individuals who have been the subject of prior electronic surveillance. These problems have sometimes arisen comparatively late in the investigative or prosecutive process. For example, we recently were forced to close an important investigation involving major gambling figures in Miami because we were advised that the evidence necessary to obtain a conviction was tainted. In other cases the problem arose after indictment (United States v. Davis, United States v. John Drew) or in the appellate stage after trial (United States v. Black; United States v. Kolod).

Is this correct? M
In view of these experiences, it appears necessary and desirable that the Department have full knowledge of the extent of any device problem at as early a stage of preparation for prosecution as possible in order to determine whether a particular case may or may not be tainted or what responses will be necessary with respect to a motion under Rule 16 to produce statements.

Accordingly, I feel it is imperative for us to establish between the Bureau and the Department (and perhaps United States Attorneys in cases of direct referral) some sort of "early warning" system. This may require the Bureau to set up and maintain appropriate indices with respect to electronic surveillance and the materials derived therefrom.

I have discussed this suggestion with the Attorney General and the Deputy Attorney General. Both feel that the establishment of such indices is necessary. They have suggested that I discuss the details of their establishment with representatives of the Bureau. I should therefore appreciate your designating an individual for this purpose at your earliest convenience.

CONFIDENTIAL

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 14 1975
TELETYPE

NR 004 LA CODE

5:20 PM WTEL 5-14-75 DJL

TO DIRECTOR (62-116395)

FROM LOS ANGELES

ATTN: INTD - W.D. CREGAR

JUNE; SENSITIVITY 75

#md e16
124/100 SP-2 ALM/HK

Mr. J. Cregar
4123 JEH

LA ELECTRONIC SURVEILLANCE INDICES INDICATE THE FOLLOWING:

INDIVIDUAL MONITORED - MARTIN LUTHER KING, JR.; FIRST DATE OF MONITOR;

FEBRUARY 20, 1964. LA 100-57229, CSLA 4523 - S, BUFILE 100-106670.

NO OTHER INFORMATION IN FILE.

END

REC-36

62-116395-463

2-4
3 JUL 30 1975

6 AUG 4 1975

ROUTE IN ENVELOPE

SPEC. MAIL RM

2 - Mr. J. A. Mintz .
(1 - Mr. J. B. Hotis)
1 - Mr. V. Cleveland - Encs.
(Attn: Mr. J. L. Smythe)
(Route through for review)
1 - Mr. W. R. Wannall -

The Attorney General

JUNE

July 18, 1975

Director, FBI

1 - Mr. W. O. Cregar - Encs.
1 - Mr. R. H. Ross - Encs.

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

Reference is made to a letter dated May 14, 1975, requesting certain information and documents from the Federal Bureau of Investigation.

Attached for your approval and forwarding to the Committee is the original of a memorandum, with attachments, in response to the material requested in Appendix D, Item 2, of the referenced letter. A copy of this memorandum, with attachments, is enclosed for your records.

Enclosures - 76

62-116395

1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

RHR:rkf/jmn
(10)

ENCLOSURE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

CONFIDENTIAL MATERIAL ATTACHED

62-116395

#MDR/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/20/00 BY SP2 ALM/LLC

2 - Mr. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. V. Cleveland
(Attn: Mr. John L. Smythe)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. R. H. Ross

July 18, 1975

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO
ELECTRONIC SURVEILLANCES

Reference is made to SSC letter dated May 14, 1975, with attached appendices, requesting certain documents and other information from the FBI.

Item 2, Appendix D, requests all memoranda and other material relating to maintenance and operation of the so-called "Elsur" (electronic surveillance) indices.

Attached are the following documents responsive to the above Committee's request:

1. Department letter to Director, FBI, dated September 27, 1966, captioned "Electronic Devices."
2. FBIHQ memorandum J. H. Gale to Mr. DeLoach, dated September 27, 1966, captioned "Electronic Devices."
3. FBI letter to the Attorney General, dated September 28, 1966, captioned "Electronic Devices."
4. Department letter to Director, FBI, dated September 30, 1966, captioned "Electronic Devices."
5. FBI letter to the Attorney General, dated October 3, 1966, captioned "Electronic Devices."

CONFIDENTIAL MATERIAL ATTACHED

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

RHR:rkf/jmn jmn
(9)

ORIGINAL AND ONE TO AG

SEE NOTE PAGE 5

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

Request Pertaining to Electronic Surveillances

6. FBI memorandum W. C. Sullivan to Mr. DeLoach, dated October 4, 1966, captioned "Microphone and Telephone Surveillances. "
7. FBIHQ teletype to Special Agents in Charge, all offices, except Anchorage, et al., dated October 5, 1966, captioned "Microphone and Telephone Surveillances. "
8. FBI airtel to All Special Agents in Charge, dated October 21, 1966, captioned "Microphone and Telephone Surveillances. "
9. FBI memorandum J. H. Gale to Mr. DeLoach, dated November 10, 1966, captioned "Microphone and Telephone Surveillances. "
10. FBIHQ airtel to Special Agent in Charge, Albany, et al., dated November 10, 1966, captioned "Microphone and Telephone Surveillances. "
11. Special Agent in Charge Letter 66-72, dated November 15, 1966, captioned "(G) Technical and Microphone Surveillances - Use of Information from Electronic Devices in Criminal Prosecutions. "
12. FBI memorandum J. H. Gale and W. C. Sullivan to Mr. DeLoach, dated January 11, 1967, captioned "Special Indices of Electronic Surveillances. "
13. FBIHQ airtel to Special Agent in Charge, Albany, et al., dated January 12, 1967, captioned "Department Inquiries Concerning Electronic Surveillance Coverage," with enclosures of

Request Pertaining to Electronic Surveillances

Department letter to Director, FBI, dated October 24, 1966, captioned "Organized Crime and Racketeering Cases Pending in the Tax Division," and

Department letter to Director, FBI, dated December 2, 1966, captioned "Electronic Surveillance Information Requests," and its attachment, dated November 2, 1966.

14. FBI memorandum L. E. Short to Mr. Tavel, dated February 9, 1967, captioned "Department of Justice Requests for Electronic Surveillance Checks (62-318)."
15. FBI airtel to Special Agent in Charge, Albany, and all other offices, dated March 13, 1967, captioned "Department Inquiries Concerning Electronic Surveillance Coverage."
16. FBI airtel to Special Agent in Charge, Albany, and all other offices, dated March 29, 1967, captioned "Elsur."
17. Department letter to Director, FBI, dated June 3, 1968, captioned "Electronic Surveillance, December 2, 1966, Memorandum."
18. FBIHQ airtel to Special Agent in Charge, Albany, and all other offices, dated June 12, 1968, captioned "Department Inquiries Concerning Electronic Surveillance Coverage."
19. FBIHQ airtel to Special Agent in Charge, Albany, and all other offices, dated May 2, 1969, captioned "Department Inquiries Concerning Electronic Surveillance Coverage," with enclosure of

Department letter to Director, FBI, dated April 16, 1969, captioned "Electronic Surveillance."

Request Pertaining to Electronic Surveillances

20. Special Agent in Charge Letter 69-36, dated July 1, 1969, captioned "(E) Electronic Surveillance (Elsur). "
21. FBI airtel to Special Agent in Charge, Albany, and all other offices, dated July 2, 1969, captioned "Electronic Surveillance Under Title III of the Omnibus Crime Control and Safe Streets Act of 1968," with enclosure (example of special indices card).
22. Special Agent in Charge Letter 69-37, dated July 8, 1969, captioned "(A) Index Systems. "
23. FBI letter to the Attorney General, dated July 25, 1969, captioned "Electronic Surveillance Disclosure Matters. "
24. FBI airtel to Newark, dated July 31, 1969, captioned "Electronic Surveillance Under Title III of the Omnibus Crime Control and Safe Streets Act of 1968. "
25. Department letter to Director, FBI, dated August 7, 1969, captioned "Electronic Surveillance Disclosure Matters. "
26. FBIHQ airtel to Special Agent in Charge, Albany, and all other offices, dated August 13, 1969, captioned "Department Inquiries Concerning Electronic Surveillance Coverage. "
27. FBIHQ airtel to Special Agent in Charge, Albany, and all other offices, dated August 15, 1969, captioned "Microphone and Telephone Surveillances. "
28. FBI memorandum J. Keith to Mr. Cleveland, dated October 23, 1974, captioned "Microphone and Telephone Surveillances. "

Request Pertaining to Electronic Surveillances

29. FBI airtel to Special Agent in Charge, Albany, and all other offices, dated October 25, 1974, captioned "Microphone and Telephone Surveillances," with enclosure (example of special indices card).
30. FBI memorandum A. B. Fulton to Mr. Wannall, dated December 4, 1974, captioned "Microphone and Telephone Surveillances," with enclosure of

FBI airtel to Special Agent in Charge, Albany,
and all other offices, dated December 6, 1974,
captioned "Microphone and Telephone Surveillances."

Enclosures - 37

1 - The Attorney General

NOTE:

This is to transmit to the Attorney General Item 2 of Appendix D, which is part of referenced SSC letter 5/14/75. Specifically, this Item concerns memoranda and other material relating to maintenance and operation of the "Elsur" index. The enclosures to the attached memorandum were obtained by review of appropriate files by personnel of the Special Investigative and Intelligence Divisions. No third agency consideration present.

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: Senate Select Committee

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 7/18/75
U.S. SENATE SELECT COMMITTEE Re: Request
Option of Document: **Pertaining to Electronic Surveil-**
ances Appendix D, Item 2

Originating Office: FBI

Delivered by: [Signature] Date: Aug 1, 1975

Received by: [Signature]

Title: Office Memo

Return this receipt to the Intelligence Division, FBI

MDR/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP 2 A/M/1/16

CLASSIFY AS APPROPRIATE

SEE INSTRUCTIONS ON REVERSE
BEFORE COMPLETING.TO: * Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available
for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

7/18/75

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC☐ HSC4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, other-
wise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 5/14/75, Appendix D, Item 2

6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)

C

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)

Surveillance, electronic

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP-2 ALM/jk

8. SUMMARY (see reverse side before completing this item)

Furnishing SSC all memoranda and other material relating
to maintenance and operation of the so-called "Elsur" indices

62-116395

FMK: fmk
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSITIVITY

TREAT AS YELLOW

5
WOC/

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 14 1975

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2 AEM/STB

NR001 MI CODE

10-42AM URGENT JUNE 14, 1975 EEF

TO : DIRECTOR (62-116395)

FROM: MILWAUKEE (62-1710) (RUC)

ATTENTION: INTD - W. O. CREGAR.

JUNE SENS STUDY 75

RE BUTEL DATED JUNE 13, 1975.

ELSUR INDICES MILWAUKEE DIVISION NEGATIVE RE

MARTIN LUTHER KING, JR.

END.

KAC FBIHQ CLR

REC-20
EX-101

62-116395-497

6/16/75-

JERRY HOGAN, MILWAUKEE
DIVISION ADVISED OVERHEARD
ON KING 4/27/64 -

MI 260-SK MI 261-S*; MILWAUKEE

TELETYPE 6/14/75 NOT CORRECT

INFORMATION MILWAUKEE CP. USA (100-3-116-863)

6 AUG 14 1975

~~1 AUG 14 1975~~

RE - HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395-676

THE SERIAL INDICATED ABOVE IS AN OUTGOING MEMO/LETTER TO THE ATTORNEY GENERAL DATED 9-5-75 FURNISHING COPIES OF FBI DOCUMENTS IN RESPONSE TO REQUEST(S) MADE BY EITHER THE U.S. SENATE OR HOUSE SELECT COMMITTEES ON INTELLIGENCE. SINCE THE ATTACHED XEROX COPY/COPIES ARE "JUNE" MAIL, IT/THEY HAS/HAVE BEEN REMOVED FROM THE ENCLOSURE TO THE SERIAL INDICATED ABOVE AND IS TO BE FILED IN THE "JUNE" FILE AS INDICATED BELOW:

#mde16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/4/00 BY SP2 ALM/STG

THIS ENCLOSURE MATERIAL IS TO BE FILED IN THE "JUNE" FILE OF

HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395-676*7 pieces*

UNITED STATES GOVERNMENT

Memorandum

SECRET

Tolson ☒
 Belmont ☒
 Mohr ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Malone ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

TO : W. C. Sullivan

DATE: 5-18-62

FROM : W. R. Wannall

JUNE

1 - Belmont
 1 - Sullivan
 1 - Wannall
 1 - Mullins
 1 - Nasca
 1 - Emond

SUBJECT: [X] COMMUNICATIONS INTELLIGENCE - CUBA

This morning a meeting was held in this office between representatives of the National Security Agency (NSA) and representatives of this Section. The NSA representatives were Miss Blanco Stevens, and Messrs. Hotchkiss Young, Richard Lee, Stanley O'Shinsky and Thomas Pacl, Jr. Section representatives were Agents R. D. Cotter, R. A. Mullins, V. H. Nasca and W. R. Wannall. The discussion centered about the means by which NSA could be most helpful to the FBI in processing some 20,000 messages received each month in NSA coverage of Cuban matters. The messages relate to commercial and personal communications between persons in Cuba and in the United States. (S)

Mr. Young, who heads the division in which this material is handled at NSA, pointed out that the entire material cannot be completely processed because of personnel restrictions and NSA was most desirous of furnishing to the FBI material which would be most helpful to our operations. After considerable discussion, it was decided that, of the raw traffic now available, the material which would be most helpful to us would consist of periodic listing of firms in the U.S. which are doing business with individuals in Cuba and the Cuban Government. For the most part these would be legitimate commercial transactions, however, Mr. O'Shinsky had a few items, which by their very nature, appear suspicious--such as a \$3,000 payment to a radio firm with no indication as to the reason for such a large payment. It is felt that by receiving periodic studies of such commercial transactions we will be in a position to determine if, by repeated action, there might be some intelligence interests in a particular firm in the U.S. which, of course, would be of great interest to us. (S)

With regard to personal messages, we feel that those relating to individuals traveling between Cuba and the U.S. would be the most significant. We are presently receiving a considerable amount of information from communications intelligence sources relating to persons going to Cuba but a very insignificant amount of material relating to persons going in the other direction. We brought up our interest in this area and Mr. Lee, under whose responsibility this primarily falls, agreed to undertake a survey over the next few weeks and give us the results of the survey so we can determine specifically what might be available in this general area.

CLASSIFIED BY

WRW:njs, EXEMPT FROM GENERAL DECLASSIFICATION

64-330-210-1247 (S)

(7)

SCHEDULE OF EXECUTIVE ORDER 11652

EXEMPTION CATEGORY

BUREAU SOURCE - AUTOMATICALLY DECLASSIFIED ON

RECORDED

MAY 28 1962

SECRET

Memorandum to Mr. Sullivan
RE: [COMMUNICATIONS INTELLIGENCE - CUBA] (S)

Mr. Young pointed out that all of the some 20,000 messages are scanned and items which, on the surface, have some intelligence significance are processed. We, of course, expressed an interest in continuing to receive this type of material. (S)

For the purpose of extracting from the raw traffic other items which might be of interest to the FBI but which do not appear to be from the context of the message, we will furnish to NSA a list of persons in whom we have an investigative or an intelligence interest. When the names of any individuals appearing on this list come up in the messages, those items will be given us. For the purpose of maintaining this list, the NSA representatives will devise a 5 x 8 card on which we can indicate the name of an individual in whom we are interested together with any identifying data we desire to include. As soon as the format of the card has been devised, it will be submitted for our approval. Mr. Young assured that, if we provided name of individual who was of vital interest to us and we did not want data concerning him disseminated to any other agencies, NSA could arrange this. (S)

It is felt that the meeting this morning was quite beneficial to the FBI. This is a source of information which has not yet being tapped and NSA is most anxious to handle this source in a manner which is to our best benefit. (S)

ACTION:

For information.

JP *EL*

SECRET

SECRET

Tolson _____
 Belmont ☒ _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen ☒ _____
 Sullivan ☒ _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Memorandum

TO : W. C. Sullivan

FROM : W. R. Wannall

SUBJECT: [X] COMMUNICATIONS INTELLIGENCE

JAN 16, 1963

Mr. Belmont

Mr. Sullivan

Mr. Wannall

Mr. McDonnell

- Mr. Nasca

- Mr. Wagoner

- Mr. Mullins

At the request of National Security Agency (NSA), a conference was arranged in my office at 11 a.m. today between NSA officials and Agents of the Nationalities Intelligence Section. NSA representatives were Mr. Hotchkiss Young, Mr. Richard Lee and Mr. Thomas Pacl, Jr. Section representatives were SAs J. J. Dunn, Jr., R. A. Mullins, V. H. Nance and I. NSA indicated a discussion was desired concerning programs instituted by it of interest to us in the Cuban field. (S)

The NSA officials said they wished to point out: (1) the pressure of Soviet traffic in Cuba during the Cuban crisis had necessitated the postponement of their program to develop data concerning apparent illegal travel between Cuba and U. S. through a third country as we had previously requested; and (2) the recent development of technical equipment which will allow NSA to make stops on thousands of individuals and locations as opposed to their present setup which can handle less than 300 such items. We pointed out to the NSA people that we are in the process of obtaining a listing of the approximately 1100 Cuban invasion prisoners and their 900 relatives who were recently admitted to the U. S. and expected to have NSA place stops on our behalf regarding these individuals. They agreed that, unless some unforeseen problem developed, they could handle this large volume of names when their new machinery is put into operation. They estimated this would be within the next two or three months. (S)

In our previous meetings with NSA, we had worked out arrangements whereby we would be furnished special surteyes regarding individuals traveling between Cuba and U. S. through third countries with the idea that these individuals would be the basic group traveling illegally and thus would be potential intelligence agents. The NSA representatives said the Soviet traffic in Cuba had slackened off and that they had been able to obtain additional personnel which would allow them to give attention to our needs in this regard. We assured them of our continuing interest in these individuals. It is noted that we already have stops with NSA placed concerning 65 individuals in Cuba of investigative interest to us. They have agreed to notify us in the near future as to the exact capacity of their new machinery and, if it will handle more than the over 2,000 names which we are already planning to place stops against, we contemplate also placing stops (S)

CLASSIFIED BY 6283

EXEMPT FROM GENERAL DECLASSIFICATION

SCHEDULE OF EXECUTIVE ORDER 11652

EXEMPTION CATEGORY 243

AUTOMATICALLY DECLASSIFIED ON 24

SECRET

64-330-210-1368 (S)

RECORDED

FEB 19 1963

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Memorandum for Mr. Sullivan

RE: COMMUNICATIONS INTELLIGENCE - CUBA (S)
[330-210] (S)

Regarding the approximately 300 Security Index subjects who were placed
in prison for pro-Castro activities or for exhibiting sympathy for the
Castro regime. (S)

ACTION:

For your information. The NSA representatives appeared most
interested in assisting us and its increasing capacity for covering
wire transmissions between the U. S. and Cuba should prove valuable
to our coverage of Cuban intelligence activities. (S).

over
[fm]
JA

NCS

SECRET

TOP SECRET

SECRET

- 1 - Mr. Mintz
- 1 - Mr. E. S. Miller
- 1 - Mr. Boynton
- 1 - Mr. G. C. Moore
- 1 - Mr. Putman

September 26, 1973

BY LIAISON

- 1 - Mr. Shackelford
- 1 - Mr. T. J. Smith

Lieutenant General Lew Allen, Jr.
Director
National Security Agency
Fort George G. Meade, Maryland

Dear General Allen:

I am in receipt of your letter of September 17, 1973, concerning the necessity for a mutual review of our policies with respect to the compilation and maintenance of the Watch List. I share your concern and fully agree that we should review our procedures to assure that our authorities, particularly in light of recent court decisions, are not exceeded.

As you are aware, however, the Department of Justice in filing affidavits with the United States District Court, Eastern District of Michigan, in the case of United States versus William Ayers, et al., which case involved the Students for a Democratic Society, an organization included on the Watch List, took the position that the intercepts obtained by your agency were lawful and not within the disclosure requirements of the court.

We are instituting a review of our procedures but feel that any decision reached respecting the Watch List should await the final ruling of the court.

Assoc. Dir. _____
Asst. Dir.: _____
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Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

RHH:glw
(9)

TOP SECRET

SEE NOTE-PAGE 2

Classified by Director, FBI
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

ROUTE IN ENVELOPE

SECRET

~~TOP SECRET~~

SECRET

Lieutenant General Lew Allen, Jr.

It is our desire to cooperate with you fully in any measures you deem necessary to protect your valuable SIGINT sources.

Sincerely yours,

Clarence M. Kelley
Director

NOTE:

See memorandum T. J. Smith to Mr. E. S. Miller, dated 9/25/73, captioned "National Security Agency (NSA) Watch List Procedures," prepared by RHH:glw.

SIGINT stands for Signals Intelligence and refers to NSA interceptions of international communications. (S)

Classified "~~Top Secret~~" because unauthorized disclosure could result in grave damage to the national security.

~~TOP SECRET~~

- 2 -

SECRET

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1 - Mr. W. R. Wannall - Encls.
1 - Mr. W. O. Cregar - Encls.
1 - Mr. J. W. Dalseg - Encls.

The Attorney General

September 19, 1975

Director, FBI

CLASSIFIED BY SP-2 ALM/JTG
DECLASSIFY ON: 25X

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

Reference is made to the SSC letter dated August 20, 1975, with enclosures, requesting certain documents and other information from the FBI.

Attached is the original of a memorandum, with enclosures in response to the material requested in Part VI, Items a. through n. of the referenced letter.

A briefing for Senators Church and Tower has been provided covering warrantless electronic surveillances, [surreptitious entry for recovery of cryptographic material, teletype coverage requested by the National Security Agency and electronic penetration of communications equipment requested by the National Security Agency.] The White House asked that agencies of the intelligence community not respond to any requests from the SSC covering these matters until the briefing had been given. The goal of the briefing was to confine knowledge of these matters to Senators Church and Tower and avoid proliferation of this information throughout the SSC staff. In view of this, it is recommended that the enclosed material not be made available to the SSC staff until it is discussed with the White House. I further urge that it be made clear to the White House that if this material is to be made available to the SSC that access to the enclosed material be limited to Senators Church, Tower, and SSC Staff Director William Miller only.

Assoc. Dir. _____
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Dep. AD Inv. _____
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Admin. _____
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Spec. Inv. _____
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Legal Coun. _____
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Director Sec'y _____

62-116395

JWD:jma
2 (9)

TOP SECRET

SEE NOTE PAGE 2

Classified by 5736
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

ROUTE IN ENVELOPE

SECRET

~~TOP SECRET~~

~~SECRET~~

The Attorney General

A copy of this memorandum, with enclosures, is enclosed for your records.

Enclosures - 50

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

Classified "~~Top Secret~~" since unauthorized disclosure could jeopardize sensitive methods.

~~TOP SECRET~~

SECRET

- 2 -

~~TOP SECRET~~

2 - Mr. J. A. Mintz - Encs.
(1 - Mr. J. B. Hotis - Encs.)
1 - Mr. W. R. Wannall - Encs.
1 - Mr. W. O. Cregar - Encs.
1 - Mr. J. W. Dalseg - Encs.

JUNE

62-116395

September 19, 1975

7/10/76
DECLASSIFIED BY SP-2 ALM/ATG
ON 11/30/00

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO WARRANTLESS
ELECTRONIC SURVEILLANCES FOR
NATIONAL SECURITY PURPOSES

Reference is made to the SSC letter August 20, 1975, with enclosures. Part VI requested documents and other information from the FBI relating to electronic surveillances.

Item a. requested a memorandum of W. C. Sullivan dated September 25, 1964. Attached is a copy of a memorandum from Mr. W. C. Sullivan to Mr. A. H. Belmont dated September 25, 1964, captioned "Confidential Informant and Similar Types of Coverage."

Item b. requested a follow-up memorandum referenced in a September 30, 1964, memorandum from Mr. Sullivan to Mr. Belmont. Attached are copies of a memorandum from A. H. Belmont to Mr. Tolson dated October 6, 1964, captioned "Special Investigative Techniques," a radiogram addressed to all SAC's from the Director, FBI, dated October 6, 1964, regarding technical surveillances, and an airtel to all offices from the Director, FBI, dated September 30, 1964, captioned "Mail Covers."

Items c. and d. requested material resulting from President Johnson's June 30, 1965, "Memorandum for the Heads of Executive Departments and Agencies," pertaining to electronic surveillances. Attached are memoranda from A. H. Belmont to Mr. Tolson dated July 30, 1965, captioned "Technical and Microphone

ORIGINAL AND ONE TO AG

JWD:jmn
(8)

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SEE NOTE PAGE 5

Classified by 5730
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

~~TOP SECRET~~

Senate Select Committee on Intelligence Activities

Re: Request Pertaining to Warrantless
Electronic Surveillances for
National Security Purposes

Surveillances (President's memorandum of June 30, 1965)" and a memorandum from the Director, FBI, to the Attorney General, dated August 2, 1965, captioned "Technical Surveillances and the Use of Electronic Devices."

Item c. requested material reflecting a March 30, 1965, conversation between Director Hoover and Attorney General Katzenbach pertaining to "proper controls over wiretapping and the installation of microphones." Attached are copies of a memorandum for the Attorney General dated March 30, 1965, a memorandum for Messrs. Tolson, Belmont, and DeLoach from Mr. Hoover dated March 30, 1965, and a memorandum from A. H. Belmont to Mr. Tolson dated March 30, 1965, captioned "Technical Surveillances and Microphone Surveillances."

Item f. requested material reflecting the procedure which was "set up" concerning microphone surveillances referred to in Mr. Hoover's memorandum of March 30, 1965, to the Attorney General. The procedure for approval of microphone surveillances is detailed in the A. H. Belmont to Mr. Tolson memorandum of March 30, 1965, enclosed in connection with Item c.

Item g. requested material reflecting the "various recent conversations" between the Director and the Attorney General as referenced in the first sentence of the September 14, 1965, memorandum from the Director to the Attorney General concerning "special investigative techniques." In addition to the material submitted in response to Item e., enclosed are copies of a memorandum from Mr. Hoover to Messrs. Tolson, Belmont, Gale, Rosen, Sullivan, and DeLoach dated July 14, 1965, and a memorandum from A. H. Belmont to Mr. Tolson dated May 11, 1965, captioned "Technical and Microphone Surveillances."

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Senate Select Committee on Intelligence Activities

Re: Request Pertaining to Warrantless
Electronic Surveillances for
National Security Purposes

Item h. referred to the September 14, 1965, memorandum from the Director to the Attorney General concerning special investigative techniques and then requested material concerning statements in the memorandum. Material furnished in response to Items b. and g. above indicates instructions regarding microphones, wiretaps (i. e., telephone wiretaps), mail covers, and trash covers. The attached copy of a memorandum from R. L. Millen to Mr. Conrad dated July 26, 1965, captioned "Senate Subcommittee on Administrative Practice and Procedure (Long Committee)" indicates instructions relating to the use of portable recorders. Concerning the use of the polygraph, attached is a copy of a memorandum from W. M. Felt to Mr. Tolson dated July 22, 1965, captioned "Polygraph Matters."

Item i. requested a memorandum from the Director to the Attorney General dated September 23, 1964. A copy of a memorandum from the Director, FBI, to the Attorney General, dated September 23, 1965, captioned "Pakistani Mission to the United Nations - Internal Security - Pakistan" is attached.

Item j. requested material reflecting revisions, modifications, or changes resulting from the Attorney General's memorandum of September 27, 1964 (date should be 1965). In response, attached are copies of a memorandum from A. H. Belmont to Mr. Tolson dated September 28, 1965, captioned "Special Investigative Techniques," and a memorandum from W. C. Sullivan to Mr. Belmont dated September 30, 1965, captioned "Special Investigative Techniques."

Item k. requested material indicating implementation of the June 16, 1967, "Memorandum to the Heads of Executive Departments and Agencies" from Attorney General Clark. Attached are copies of a memorandum from J. H. Gale to Mr. DeLoach dated June 28, 1967,

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Senate Select Committee on Intelligence Activities

**Re: Request Pertaining to Warrantless
Electronic Surveillances for
National Security Purposes**

captioned "Department's Rules Regarding Use of Wiretapping and Other Electronic Surveillance by the Executive Branch," a memorandum from the Director, FBI, to all FBI field offices, dated June 29, 1967, captioned "Wiretapping and Electronic Surveillances," and a memorandum from A. J. Eaker to Mr. Conrad dated June 20, 1967, captioned "Department's Rules Regarding Use of Wiretapping and Other Electronic Surveillance by the Executive Branch."

Item l. requested material indicating implementation of the October 16, 1972, "Memorandum to the Heads of Executive Departments and Agencies" from Attorney General Kleindienst. Attached are copies of a memorandum from Henry E. Petersen, Assistant Attorney General, Criminal Division, to the Acting Director, FBI, dated October 18, 1972, captioned "Consensual Monitoring of Telephone and Non-telephone Conversations," a memorandum from Daniel M. Armstrong, III, to Mr. L. Patrick Gray, III, dated November 8, 1972, captioned "Consensual Monitoring of Telephone and Non-telephone Conversations," and a memorandum from W. V. Cleveland to Mr. Felt dated November 7, 1972, captioned "Consensual Monitoring of Telephone and Non-telephone Conversations."

Items m. and n. requested material relating to "new standards and guidelines for use of electronic surveillance . . ." referred to by Attorney General Richardson in a September 12, 1973, letter to Senator J. W. Fulbright. The proposed guidelines were not completed before Mr. Richardson left the Department of Justice in October, 1973, and were not implemented as Mr. Richardson indicates in his testimony before Senators Kennedy, Muskie, and Ervin on April 3, 1974. This is indicated in the published transcript entitled "Joint Hearings before the Subcommittee on Administrative Practice and Procedure and the Subcommittee on Constitutional Rights of the Committee on the Judiciary

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Senate Select Committee on Intelligence Activities

Re: Request Pertaining to Warrantless
Electronic Surveillances for
National Security Purposes

and the Subcommittee on Surveillance of the Committee on Surveillance
of the Committee on Foreign Relations, United States Senate, Ninety-
Third Congress, Second Session on Warrantless Wiretapping and
Electronic Surveillance. "

Enclosures - 24

1 - The Attorney General

NOTE:

Classified "~~Top Secret~~" since unauthorized disclosure could
seriously damage sensitive methods and indicate FBI interest in foreign
establishments.

~~TOP SECRET~~